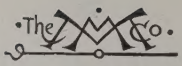
American History told by Contemporaries

VOLUME III

NATIONAL EXPANSION

1783–1845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American History told by Contemporaries

VOLUME III

NATIONAL EXPANSION

1783–1845

EDITED BY

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Preface

When the series of which this is the third volume was begun, three years ago, the editor thought it necessary to explain and define the method of which it is a type. In that brief space of time, however, people have become more accustomed to the use of original historical materials, and there is no novelty in the suggestion that American history may be read in the works of its makers. As in the previous volumes, the double task is attempted of giving characteristic extracts from the best-qualified contemporaries, and of weaving those extracts together so as to make a consistent and truthful whole.

The principles adopted in selecting and transcribing material are those which I believe best calculated to inculcate accuracy, fidelity, and judgment. I have in all cases sought the earliest authoritative text of each piece; it has been transcribed as the writers themselves saw it in manuscript or in print; no liberties have been taken with spelling, capitals, or paragraphing. Doubtless the sense would remain the same if the text had been modernized, but it seems worth while to give an object lesson in the faithful reproduction of texts just as one finds them.

The good writers in the period covered by this volume are very numerous, and it has been a painful task to throw out much instructive and interesting first-hand material which had been selected. As in the previous volumes, constitutional documents have been avoided, both because they are not self-explanatory and because good collections of them fortunately now abound; diaries, travels, autobiographies, letters, and speeches have been preferred as being more real and more human.

In the choice of material I have tried to illustrate social and political conditions, even at the expense of leaving out many important and indispensable incidents. Our historians in general deal less with "the

people" than with people, — less with the life and impressions of the average man than with the thoughts of brilliant leaders. To my mind the foundations of true historical knowledge of our past are the actual conditions of common life: of country, town, and city; of farmer, artisan, merchant, and slaveholder; of church, school, and convention. If this book leads people to understand how their forefathers felt, it will have done its work.

Naturally the largest episode in this volume is the building of the Federal Constitution. In this, as in other disputed questions, I have tried to give a fair representation to the various schools of thought: if some people were wrong-headed and illogical and unpatriotic, it is part of history to know what their arguments were and how they were refuted. In approaching the terrible contest over slavery the same method is adopted: the assailant, the champion, and the observer speaks, each for his own side.

From the date at which this volume begins, the West assumed a life and character of its own; and it has been my aim to bring out that abounding frontier life, that constructive political instinct, that force and energy, which are so notable in the development of the West and so important in our national history.

It is hoped that students in colleges and good secondary schools may find materials in this volume for collateral reading and for topical work. Perhaps, also, the long-besought "gentle reader" will here find resources for his leisure hours.

The work of arranging the volume and seeing it through the press could hardly have been performed without the expert aid of Mr. David M. Matteson and Miss Addie F. Rowe; or without the unflagging and generous interest of the authorities of the Harvard College Library and the Boston Public Library.

ALBERT BUSHNELL HART.

Twin Beeches, Dublin, N. H.
September 5, 1900.

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PART I

PRACTICAL INTRODUCTION FOR TEACHERS, PUPILS, STUDENTS, AND LIBRARIES

CHAPTER I—SOURCES AND THEIR USES

1. Educative Value of Sources

THE world no longer needs elaborate instruction in the usefulness of the sources of history. Besides calling forth a fusillade of articles and criticisms on this question, it has been the subject of a part or of the whole of two recent educational documents: in the *Study of History in Schools, Report of the American Historical Association*, may be found (through the index) several discussions of the subject; and the forthcoming *Report on the Use of Sources*, drawn up by the committee of the New England History Teachers' Association, is really a treatise on the source method. In the Introductions to Volumes I and II of this series may be found the editor's opinions at some length.

The most apt parallel for the use of sources in schools is the use of experiments in chemistry and physics and other natural sciences: the object in both cases is the same, — to accustom the pupil to the notion that knowledge is ultimately founded on personally recorded observations; and also to train the observing and reasoning powers by the use of a limited amount of select material, as illustrative of great bodies of facts which must be taken on faith without the aid of experiment. The educative value of sources is to arouse, and interest, and make history seem like something that actually happened.

While the materials available for this volume have not the same romance as those which dealt with discoverers, explorers, Indians, and Revolutionary heroes, yet many of the extracts deal with frontier incidents and stirring adventures: such, for example, are Judge Cooper's little treatise on colonization (No. 31) and John Pope's experiences on the Mississippi river (No. 34). The pieces relative to the formation of the Constitution are also intended to bring out the real living man-to-man personal contest over the new government: as, for instance, the objections of the North Carolina farmers (No. 75), and the more subtle reasoning of Yates (No. 64). Another kind of interest, not less absorbing, is to be found in the extracts in this volume on various phases of slavery.

2. How to Find Sources

IN the earlier period covered by this volume we have still the inestimable guidance of Justin Winsor, in his *Narrative and Critical History of America:* Volume VII and the appendices to Volume VIII deal especially with the period of constitution-making. We have now also reached the period of the admirable bibliographies prepared by Mr. W. E. Foster in his *References to the History of Presidential Administrations,* and *References to the Constitution of the United States.* Mr. Paul Leicester Ford, in his extremely valuable collection of out-of-the-way writings on the Constitution, published under the titles *Pamphlets on the Constitution* and *Essays on the Constitution,* adds an elaborate bibliography of materials on that immortal document. In the two histories of the Federal Constitution by George T. Curtis and George Bancroft (the latter's account reprinted with documents as a sixth volume of his *History of the United States*), we have foot-notes leading direct to the literature. The five volumes of J. B. McMaster, which now reach from 1783 to 1830, have also an array of valuable foot-notes through which out-of-the-way sources may be discovered.

Specific references both to the secondary works and to sources will be found in Channing and Hart's *Guide to the Study of American History*; §§ 149–193; and the book also contains classified lists of the ultimate authorities. The forthcoming *Bibliography of American History,* prepared by the coöperative method under the editorship of J. M. Larned, promises, by its critical estimates of books, to be especially serviceable to historical students. For teachers and librarians a helpful list will be

found in that part of the *Report on the Use of Sources* (published under the auspices of the New England History Teachers' Association) in which there is a critical estimate of about one hundred of the principal sources of American history. The various "source books" also usually contain finding-lists and suggestions. Pains have been taken to make the references to pieces herein printed so explicit that the books from which they are excerpted may be readily found.

3. Use of Sources

IN No. 1 above, the educative value of source material has already been considered, but some suggestions may be made as to the best method of applying such material to the use of schools. Upon this subject, practical introductions written by secondary and normal teachers will be found in the *Source-Book of American History*, prepared by Albert Bushnell Hart. The same question is also discussed in the *Report of the Committee of Seven*, pp. 101–110.

The teacher may employ such a volume as this for his preparation, by carefully going over the chapters in connection with the text-book used by the class. In many cases the extract is sufficient to give a fair idea of the writer, of his point of view, and of the incidents which he witnessed; in other cases the extract may be extended by using the full work from which it has been taken. The purpose, in both cases, is that the teacher's mind may be full of a mass of illustrative incident and additional detail, which may be used to freshen the class-room work and to leave a clear impression in the minds of the pupils.

School pupils may find aid in this collection of sources by doing topical work which will lead them to appropriate parts of the selections; or by reading specified pieces in connection with their daily lessons; or by reading in class as an exercise some of the many pieces which have a distinct literary merit. It is of course not expected that from such a collection as this any pupil will derive all his knowledge of American history.

Older students may absorb the larger part of a collection of extracts; for, while many writers and many fields of history can be brought within the compass of such a book, the extracts are intended to be typical of a large body of material. For example, there will be found below accounts of social conditions in New England (No. 11), in the middle

states (Nos. 15–17), and in the South (No. 13). There are quotations from public speeches (No. 121), from diaries (Nos. 19, 79), from debates in conventions (No. 75), and from the debates of Congress (No. 189). Wherever any historical student is dealing with a great field he must sometimes accept the principle *ex pede Herculem*. Once under way, mature students will be led from the less to the greater: they will seek to extend their knowledge of the writers so briefly represented; they will make themselves masters of a part of the literature here hinted.

The general reader may find this book useful by reading it in connection with some approved narrative which will give him a proper perspective. Channing's *Students' History of the United States*, McLaughlin's *History of the American People*, or some of the other recent brief histories, will take but a few hours to read, and will furnish a mordant to fix in the mind the relations to each other of the extracts in this volume.

The libraries are glad to have readers interested in the body of literature which was created for the delectation of Americans; and perhaps this volume may create a little run upon some of the forgotten yet inspiring writers of a century ago.

4. Cautions as to Sources

THE intelligent teacher or student or writer will scarcely need to be told that he must keep his eyes open in dealing with original materials. In such a collection as this, a part of the danger is, or ought to be, eliminated by careful editing; and series of extracts ought in general to include only writers of tried veracity and weight, so that the question of truthful intention need not come in. It has not been intended to include forgers or liars except upon due notice of their untrustworthiness; but of course we are not looking for a statement of historical fact in Brackenridge's satire on the objectors to the constitution (No. 70), or in Major Jack Downing's revelations from the presidential kitchen (No. 160). Since it is the object of this work rather to establish tendencies than to detail facts, it has not been thought necessary to compare the minutiæ of narratives or to point out small errors. The care of the scientific student must be to be sure that he has an accurate text; that it was written by the man whose name it bears; that he had the opportunity to know whereof he wrote; and that he had the intention of speaking the truth. The attention of pupils may well be called to such criteria of historical facts; but no

sensible teacher will raise difficult controverted questions, or attempt to reconcile widely differing narratives, with school-children. Some things must be taken on faith, and yet it is a service to make clear to the child's mind that faith without discrimination and vigilance may lead to error.

5. Classification of Extracts in this Volume

SOME aid may be given to the student or reader of this volume by suggesting the various kinds of material from which a choice has been made; for the attempt is to show not only how the events of American history follow each other, but also what sort of people recorded them for posterity.

Perhaps the most important sources are the official records of public bodies — Congresses, conventions, legislatures, and courts — and the reports of public officers; and also unofficial accounts of what went on in official bodies. Of this character are the following: proceedings of the Congress of the Confederation (Nos. 43, 54, 60, 68); a county convention (No. 55); Federal Convention (Nos. 62, 63, 64, 65, 66, 67); state ratifying conventions (Nos. 71, 72, 73, 74, 75); Congress of the United States (Nos. 77, 78, 79, 80, 97, 103, 113, 121, 122, 123, 125, 130, 131, 150, 159, 161, 181, 184, 189); diplomatic despatches (Nos. 95, 96, 99, 108, 120, 149, 188); presidents' messages (Nos. 106, 147, 162); executive reports (Nos. 107, 180); Louisiana inhabitants (No. 114); military and naval reports (Nos. 119, 124); New York legislature (No. 132); Supreme Court of the United States (No. 133); Virginia constitutional convention (No. 169).

On the period of this volume there is a wealth of writings of public men, many of them in formal collections of speeches and correspondence. From this very important source come extracts from the following men: Thomas Jefferson (Nos. 10, 85, 106, 111, 135); Benjamin Franklin (Nos. 12, 29); Samuel Adams (Nos. 30, 48); James Madison (Nos. 40, 65, 66, 120); John Adams (Nos. 53, 83, 91); Alexander Hamilton (Nos. 54, 72, 82, 86); George Washington (No. 57); John Jay, (No. 59); James Monroe (Nos. 74, 147); Henry Clay (Nos. 125, 148, 187); John Quincy Adams (Nos. 128, 143, 184); John Randolph (No. 130); John C. Calhoun (Nos. 131, 161, 188); Daniel Webster (No. 159); Andrew Jackson (No. 162).

To the same category belong the extracts from the writings of the

following minor public men: Joseph Jones (No. 37); John Armstrong (No. 38); Jacob Read (No. 39); Alexander Martin (No. 44); Nathan Dane (No. 46); Benjamin Lincoln (No. 58); George Mason (No. 62); William Pierce (No. 63); Robert Yates (No. 64); Luther Martin (No. 67); Richard Henry Lee (No. 68); John Lansing (No. 73); W. Maclay (Nos. 77, 79); Fisher Ames (No. 97); C. Pinckney (No. 103); Granger and Edwards (No. 107); Giles (No. 121); Story (No. 122); Josiah Quincy (No. 123); Caleb Cushing (No. 129); Macon (No. 150); M'Kenney (No. 158); Birney (No. 177); Slade (No. 181); Houston (No. 185); Benton (No. 189).

From the official records, or from their own writings, come pieces from the following foreign statesmen: Thomas Pownall (Nos. 26, 84); Otto, French minister (Nos. 45, 56); Lord Sydney (No. 47); Lord Sheffield (No. 49); Charles III of Spain (No. 51); Duke of Dorset (No. 52); Lafayette (No. 93); Citizen Genet (No. 95); Lucien Bonaparte (No. 112); allied sovereigns (No. 142); Callava (No. 144); Alexander I of Russia (No. 145).

Next in importance come the diaries and private correspondence, often the most trustworthy and entertaining of reading. Writers of this class are: Lucinda Lee (No. 13); Rachel Huntington (No. 17); Philip Fithian (No. 19); John May (No. 32); Rufus Putnam (No. 33); Libbey and Wingate (No. 76); Maclay (Nos. 77, 79); various office-seekers (No. 81); Nathaniel Ames (No. 104); Allbright (No. 109); Bainbridge (No. 124); Gleig (No. 127); J. Q. Adams (Nos. 128, 143); Latrobe (No. 165); S. F. B. Morse (No. 168); Walsh (No. 179); Cochran (No. 183).

Less reliable for dates and exact details, but valuable for the impression made by events on the mind of the onlooker, are the writers of reminiscence. Of these the following are cited in this volume: Samuel Breck (No. 16); Elkanah Watson (No. 21); Alexander Graydon (No. 25); Peter Cartwright (No. 140); Josiah Quincy (No. 151); Frederick Douglass (No. 170).

Essayists and writers on political conditions are the following: Franklin (Nos. 12, 29); Tench Coxe (No. 22); William Winterbotham (Nos. 23, 89); Samuel Adams (Nos. 30, 48); Jedidiah Morse (No. 41); "Tom" Paine (Nos. 42, 50); James Winthrop (No. 69); "Veritas" (No. 94); Stephen (No. 118); Warden (No. 134); William Jay (No. 171); W. L. Garrison (No. 174); Dew (No. 175); Leavitt (No. 182); Channing (No. 186).

Political and social satirists are: John Trumbull (No. 27); Benjamin Franklin (No. 29): H. H. Brackenridge (No. 70); *National Gazette* (No. 87); Prichard (No. 88); "Porcupine" (No. 101); Nathaniel Ames (No. 104); Washington Irving (No. 110); Sydney Smith (No. 152); "Jack Downing" (No. 160).

For social conditions, no authority is better than that of the intelligent and impartial traveller. Foreign travellers are represented as follows: St. John de Crèvecœur (No. 11); Brissot de Warville (Nos. 14, 15, 20); E. A. Kendall (No. 18); Michaux (No. 24); Chastellux (No. 28); Basil Hall (No. 116); Sutcliff (No. 117); Gleig (No. 127); Shirreff (No. 141); Bullock (No. 146); Mrs. Trollope (No. 155); Tocqueville (Nos. 156, 163); Raumer (No. 157); Lyell (Nos. 164, 173); Fanny Kemble (No. 166); Dickens (No. 167).

American travellers and observers are: Thomas Jefferson (No. 10); Watson (No. 21); Cooper (No. 31); May (No. 32); Rufus Putnam (No. 33); Pope (No. 34); Imlay (No. 35); Lewis and Clark (No. 115); H. M. Brackenridge (No. 137); Birkbeck (No. 138); Heckewelder (No. 139); Timothy Dwight (No. 153).

Extracts are made from the following verse writers: John Trumbull (No. 27); Freneau (No. 36); Timothy Dwight (No. 61); Royall Tyler (No. 90); Anonymous (No. 92); Thomas Paine (No. 98); Joseph Hopkinson (No. 100); Francis Scott Key (No. 126); James Gates Percival (No. 154); John Pierpont (No. 172); John Greenleaf Whittier (No. 178).

The following women are represented: Lucinda Lee (No. 13); Rachel Huntington (No. 17); Abigail Adams (No. 102); Mrs. Trollope (No. 155); Fanny Kemble (No. 166).

The newspapers cited are the *National Gazette* (No. 87); *Country Porcupine* (No. 101); *Columbian Centinel* (No. 105); *Niles' Register* (No. 136); *Liberator* (No. 174); *New York Commercial Advertiser* (No. 176).

6. Reprints and Collections

THE principal collections of sources on the period 1783–1845 are as follows: —

H. W. Caldwell, *Source Extracts.* 1. *A Survey of American History.* 2. *Great American Legislators.* 3. *American Territorial Development: Expansion.* Chicago, 1900. — 1 and 3 together, *American History: Unification, Expansion.* Chicago, 1900.

Jonathan Elliot, *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution, as recommended by the General Convention at Philadelphia in* 1787 ; *together with the Journal of the Federal Convention.* 5 vols. Various editions.

Albert Bushnell Hart, *Source-Book of American History, with Practical Introductions.* New York, 1899. — Nos. 64–101 cover the same chronological field as Vol. III of the *Contemporaries*, but the two works contain no duplicates.

Albert Bushnell Hart and Edward Channing, editors, *American History Leaflets.* 30 numbers (to be had separately). New York, 1892–1896. — Includes many colonial documents.

Mabel Hill, *Liberty Documents.* New York, 1900. — Contains documents and comments thereon relating chiefly to personal liberty, and showing the derivation of American principles of free government from English traditions.

Alexander Johnston, *American Orations : Studies in American Political History.* (Edited by James Albert Woodburn.) 4 vols. New York, etc., 1896–1897.

William MacDonald, *Select Documents illustrative of the History of the United States.* New York, etc., 1898. — This volume covers the period 1776–1861, and is made up chiefly of constitutional and political documents.

Edwin Doak Mead, editor, *Old South Leaflets.* Series 1–16. 96 numbers (to be had separately or bound in vols.) [Boston, 1883]–1898. — Many historical pieces ; text not carefully collated. Valuable for schools.

Edmund Clarence Stedman and Ellen Mackay Hutchinson, editors, *A Library of American Literature, from the Earliest Settlement to the Present Time.* 11 vols. New York, 1888–1890. — Vols. III–VI on the period 1783–1845. Very well chosen, though not with immediate reference to the historical value of the pieces. An excellent set for a school library, and often found at second hand.

United States, *Annals of Congress.* 42 vols. Washington, 1834–1856. — Includes records of the debates from 1789 to 1824.

United States, *Congressional Globe : containing Sketches of the Debates and Proceedings.* 109 vols. Washington, 1835–1873. — Contains the debates from 1833 on.

United States, *Diplomatic Correspondence of the United States of America, from the Signing of the Definitive Treaty of Peace,* 10*th September*, 1783, *to the Adoption of the Constitution, March* 4, 1789. 7 vols. Washington, 1833–1834. — Another edition, 3 vols., 1837.

United States, *Journals of Congress : containing the Proceedings* [1774–1788] (contemporaneous edition). 13 vols. Philadelphia, 1777–[1788]. — Also a reprint in 13 vols. (Philadelphia, 1800–1801) ; and another in 4 vols., under the title *Journals of the American Congress : from* 1774 *to* 1788 (Washington, 1823).

United States, *A Compilation of the Messages and Papers of the Presidents.* 10 vols. Washington, 1896–1899. — A valuable official publication, poorly edited by James D. Richardson, containing all the presidents' messages and proclamations except nominations for office. Sold by the government at cost.

United States, *Register of Debates in Congress.* 29 vols. Washington, 1825–1837. — Includes the debates for those years.

United States, *Secret Journals of the Acts and Proceedings of Congress.* 4 vols. Boston, 1821. — Extracts omitted in making up the public journals, especially on the history of the Confederation and on foreign affairs.

7. A Good Library of Sources

SINCE, from the Revolution onward, the history of the nation moves forward in one great movement, it is first of all important to have a set of the debates of Congress, and, so far as possible, of the reports of the Supreme Court. Exact titles of these publications will be found in Channing and Hart's *Guide*, § 30.

OFFICIAL RECORDS OF THE UNITED STATES

1790–1854. B. R. Curtis, *Reports of Decisions in the Supreme Court of the United States; with Notes and a Digest.* 22 vols. Boston, 1881. — Condensed reports.

1855–1862. Samuel F. Miller, *Reports of Decisions in the Supreme Court of the United States.* 4 vols. Washington, 1874–1875. — Condensed reports, in continuation of Curtis.

1863–1874. John William Wallace, *Cases Argued and Adjudged.* 23 vols. Washington, 1870–1876.

1875–1882. William T. Otto, *Cases Argued and Adjudged.* 17 vols. Boston, 1876–1883. — Also bears the title, *United States Reports, Supreme Court*, Vols. 91–107.

1882–1899. J. C. Bancroft Davis, *United States Reports.* Vols. 108–177. 70 vols. New York, etc., 1884–1900.

1791–1895. *Official Opinions of the Attorneys General of the United States.* 20 vols. Washington, 1852–1895.

United States, *Annals of Congress.* 42 vols. Washington, 1834–1856. — Includes records of the debates from 1789 to 1824.

United States, *Register of Debates in Congress.* 29 vols. Washington, 1825–1837. — Includes the debates for those years.

United States, *Congressional Globe: containing Sketches of the Debates and Proceedings.* 109 vols. Washington, 1835–1873. — Contains the debates from 1833 on.

United States, *Statutes at Large.* 30 vols. Boston, etc., 1850–1899. — The official text of statutes from 1789 to 1899.

American State Papers: Documents, Legislative and Executive. Folio, 38 vols. Washington, 1832–1861.

United States, *A Compilation of the Messages and Papers of the Presidents.* 10 vols. Washington, 1896–1899. — A valuable official publication, poorly edited by James D. Richardson, containing all the presidents' messages and proclamations except nominations for office. Sold by the government at cost.

DIARIES AND AUTOBIOGRAPHIES

The period from 1783 on is not so rich as the preceding in personal journals, but the following may be noted: —

John Adams, in his *Works*, Vol. III. (Edited by Charles Francis Adams.) Boston, 1851. — Fragmentary.

John Quincy Adams, *Memoirs.* (Edited by Charles Francis Adams.) 12 vols. Philadelphia, 1874–1877. — Covers the period from about 1795 to 1848, and is the most precious memorial left by any statesman after the Revolutionary period.

Thomas Jefferson, *The Anas*, in his *Works*, Vol. IX. (Edited by H. A. Washington.) Washington, 1854.

William Maclay, *Journal.* (Edited by Edgar S. Maclay.) New York, 1890. — The most valuable periodical journal of the period.

TRAVELS

One of the largest sources for an accurate knowledge of the social conditions of America is the body of travels, chiefly by foreigners. A long list will be found in Channing and Hart's *Guide*, § 24. The following are of special importance: —

Bernhard, Duke of Saxe-Weimar-Eisenach, *Travels through North America, during the Years* 1825 *and* 1826. 2 vols. Philadelphia, 1828.

Morris Birkbeck, *Notes on a Journey in America* [1817]. London, 1818.

J. P. Brissot de Warville, *New Travels in the United States of America, performed in* 1788. Dublin, 1792.

Frances Anne (Kemble) Butler, *Journal* [1832–1833]. 2 vols. Philadelphia, 1835.

Marquis de Chastellux, *Travels in North-America, in the Years* 1780, 1781, *and* 1782. 2 vols. London, 1787.

J. Hector St. John [de Crèvecœur], *Letters from an American Farmer* [1770–1781]. London, 1782.

Charles Dickens, *American Notes for General Circulation.* London, 1842.

Timothy Dwight, *Travels; in New-England and New-York* [1796–1811]. 4 vols. New Haven, 1821–1822.

Captain Basil Hall, *Travels in North America in the Years* 1827 *and* 1828. 3 vols. Edinburgh, 1829.

James Hall, *Sketches of History, Life, and Manners in the West.* 2 vols. Philadelphia, 1835.

Charles Lyell, *Travels in North America* [1841–1842]. 2 vols. London, 1845.

Henry T[heodore] Tuckerman, *America and her Commentators; with a Critical Sketch of Travel in the United States.* New York, 1864.

Elkanah Watson, *Men and Times of the Revolution; or, Memoirs . . . including Journals of Travels in Europe and America, from* 1777 *to* 1842. (Edited by W. C. Watson.) New York, 1856.

Isaac Weld, Jr., *Travels through the States of North America, and the Provinces of Upper and Lower Canada, during the Years* 1795, 1796, *and* 1797. London, 1799.

WORKS OF STATESMEN

John Adams, *Works; with a Life of the Author, Notes, and Illustrations.* (Edited by Charles Francis Adams.) 10 vols. Boston, 1850-1856.

Henry Clay, *Works.* (Edited by Calvin Colton.) 6 vols. New York, 1863.

Alexander Hamilton, *Works.* (Edited by Henry Cabot Lodge.) 9 vols. New York, etc., 1885–1886.

John Jay, *Correspondence and Public Papers.* (Edited by H. P. Johnston.) 4 vols. New York, etc. [1890–1893].

Thomas Jefferson, *Writings . . . being his Autobiography, Correspondence, Reports, Messages,* etc. (Edited by H. A. Washington.) 9 vols. Washington, 1853–1854.

James Madison, *Letters and Other Writings.* (By order of Congress.) 4 vols. Philadelphia, 1865.

James Monroe, *Writings.* (Edited by S. M. Hamilton.] Vols. I–III. New York, etc., 1898–1900.—In preparation.

George Washington, *Writings . . . being his Correspondence, Addresses, Messages,* etc. (Edited by Jared Sparks.) 12 vols. Boston, 1837.

Daniel Webster, *Works.* [Edited by Edward Everett.] 6 vols. Boston, 1851.

8. A Small Library of Sources

THE minimum library of sources on the two-thirds of the century from 1783 to 1845 may be made up as follows; exact titles will be found in Nos. 6 and 7 above: —

Albert Bushnell Hart, *Source-Book of American History*. New York, 1899.

Mabel Hill, *Liberty Documents*. New York, 1900. — Covers the period 1100-1900.

Alexander Johnston, *American Orations: Studies in American Political History*. 4 vols. New York, etc., 1896–1897.

William MacDonald, *Select Documents illustrative of the History of the United States*. New York, etc., 1898. — Covers the period 1776–1861.

William Maclay, *Journal*. New York, 1890.

Josiah Quincy, *Figures of the Past from the Leaves of Old Journals*. Boston, 1883. — Racy and especially good on social life.

Edmund Clarence Stedman and Ellen Mackay Hutchinson, editors, *A Library of American Literature, from the Earliest Settlement to the Present Time*. 11 vols. New York, 1888–1890.

United States, *Messages and Papers of the Presidents*. 10 vols. Washington, 1896–1899.

Elkanah Watson, *Memoirs, including Journals of Travels in Europe and America, from* 1777 *to* 1842. New York, 1856.

9. Useful Secondary Works

GOOD secondary books, worked out from sources by competent hands, are now increasing, in the form of both formal histories and historical biographies. A few of the most useful of such books, covering the period 1783–1845, are here mentioned: —

Henry Adams, *Life of Albert Gallatin*.

G. T. Curtis, *History of the Constitution* [1774–1788]. (2 vols. reprinted in 1 vol.)

Albert Bushnell Hart, *Formation of the Union* [1750–1829].

R. Hildreth, *History of the United States* [1788–1821]. (2d series, 3 vols.)

H. C. Lodge, *Alexander Hamilton*.

H. C. Lodge, *George Washington.* 2 vols.

J. B. McMaster, *History of the American People* [1783–1830]. (5 vols. published.)

John T. Morse, Jr., *John Quincy Adams.*

John T. Morse, Jr., *Thomas Jefferson.*

Timothy Pitkin, *History of the United States* [1763–1797]. (2 vols.)

James Schouler, *History of the United States.* (6 vols.)

W. G. Sumner, *Andrew Jackson.*

F. A. Walker, *Making of the Nation* [1783–1817].

Woodrow Wilson, *Division and Reunion* [1829–1889].

PART II

THE UNITED STATES IN 1783

CHAPTER II—SOCIAL CONDITIONS, 1780–1800

10. Evils of Slavery (1781)

BY THOMAS JEFFERSON

The *Notes on Virginia* is the work by which Jefferson is best known as an author. While the book displays Jefferson's intimate knowledge of his native state, it is rather a philosophical treatise than a simple description. This extract comes into the *Notes* in connection with proposed changes in the Virginia code. — For Jefferson, see *Contemporaries*, II, No. 188. — Bibliography: H. B. Tompkins, *Bibliotheca Jeffersoniana;* Channing and Hart, *Guide*, §§ 148, 152, 161. — For other discussions of slavery, see *Contemporaries*, II, ch. xvi; ch. xxvi below; *Contemporaries*, IV, ch. iv.

THE plan of the revisal was this. . . .

To emancipate all slaves born after passing the act. The bill reported by the revisors does not itself contain this proposition; but an amendment containing it was prepared, to be offered to the legislature whenever the bill should be taken up, and further directing, that they should continue with their parents to a certain age, then be brought up, at the public expence, to tillage, arts or sciences, according to their geniusses, till the females should be eighteen, and the males twenty-one years of age, when they should be colonized to such place as the circumstances of the time should render most proper, sending them out with arms, implements of houshold and of the handicraft arts, seeds, pairs of the useful domestic animals, &c. to declare them a free and independant people, and extend to them our alliance and protection, till they shall have acquired strength; and to send vessels at the same time to other parts of the world for an equal number of white inhabitants; to induce whom to migrate hither, proper encouragements were to be proposed. It will probably be asked, Why not retain and incorporate the blacks

into the state, and thus save the expence of supplying, by importation of white settlers, the vacancies they will leave? Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions which will probably never end but in the extermination of the one or the other race. — To these objections, which are political, may be added others, which are physical and moral. The first difference which strikes us is that of colour. . . . Add to these, flowing hair, a more elegant symmetry of form, their own judgment in favour of the whites, declared by their preference of them, as uniformly as is the preference of the Oranootan for the black women over those of his own species. . . . Besides those of colour, figure, and hair, there are other physical distinctions proving a difference of race. . . . They seem to require less sleep. . . . They are at least as brave, and more adventuresome. But this may perhaps proceed from a want of forethought, which prevents their seeing a danger till it be present. When present, they do not go through it with more coolness or steadiness than the whites. . . . Their griefs are transient. Those numberless afflictions, which render it doubtful whether heaven has given life to us in mercy or in wrath, are less felt, and sooner forgotten with them. In general, their existence appears to participate more of sensation than reflection. To this must be ascribed their disposition to sleep when abstracted from their diversions, and unemployed in labour. An animal whose body is at rest, and who does not reflect, must be disposed to sleep of course. Comparing them by their faculties of memory, reason, and imagination, it appears to me, that in memory they are equal to the whites; in reason much inferior, as I think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, tasteless, and anomalous. It would be unfair to follow them to Africa for this investigation. We will consider them here, on the same stage with the whites, and where the facts are not apocryphal on which a judgment is to be formed. . . . Some have been liberally educated, and all have lived in countries where the arts and sciences are cultivated to a considerable degree, and have had before their eyes samples of the best works from abroad. . . . But never yet could I find that a black had uttered a thought above the level of plain narration; never see even an elementary trait of painting or sculpture. In music they are more generally gifted than the whites with accurate ears for

tune and time, and they have been found capable of imagining a small catch. Whether they will be equal to the composition of a more extensive run of melody, or of complicated harmony, is yet to be proved. Misery is often the parent of the most affecting touches in poetry. — Among the blacks is misery enough, God knows, but no poetry. . . . The improvement of the blacks in body and mind, in the first instance of their mixture with the whites, has been observed by every one, and proves that their inferiority is not the effect merely of their condition of life. . . . Whether further observation will or will not verify the conjecture, that nature has been less bountiful to them in the endowments of the head, I believe that in those of the heart she will be found to have done them justice. That disposition to theft with which they have been branded, must be ascribed to their situation, and not to any depravity of the moral sense. . . . That a change in the relations in which a man is placed should change his ideas of moral right and wrong, is neither new, nor peculiar to the colour of the blacks. Homer tells us it was so 2600 years ago. . . .

> Jove fix'd it certain, that whatever day
> Makes man a slave, takes half his worth away.

But the slaves of which Homer speaks were whites. Notwithstanding these considerations which must weaken their respect for the laws of property, we find among them numerous instances of the most rigid integrity, and as many as among their better instructed masters, of benevolence, gratitude, and unshaken fidelity. — The opinion, that they are inferior in the faculties of reason and imagination, must be hazarded with great diffidence. . . . To our reproach it must be said, that though for a century and a half we have had under our eyes the races of black and of red men, they have never yet been viewed by us as subjects of natural history. I advance it therefore as a suspicion only, that the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in the endowments both of body and mind. It is not against experience to suppose, that different species of the same genus, or varieties of the same species, may possess different qualifications. Will not a lover of natural history then, one who views the gradations in all the races of animals with the eye of philosophy, excuse an effort to keep those in the department of man as distinct as nature has formed them? This unfortunate difference of colour, and perhaps of faculty, is a powerful obstacle to the emancipation of these people.

Many of their advocates, while they wish to vindicate the liberty of human nature, are anxious also to preserve its dignity and beauty. . . .

. . . There must doubtless be an unhappy influence on the manners of our people produced by the existence of slavery among us. The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this, and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self-love, for restraining the intemperance of passion towards his slave, it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose [rein?] to his worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manners and morals undepraved by such circumstances. And with what execration should the statesman be loaded, who permitting one half the citizens thus to trample on the rights of the other, transforms those into despots, and these into enemies, destroys the morals of the one part, and the amor patriæ of the other. For if a slave can have a country in this world, it must be any other in preference to that in which he is born to live and labour for another: in which he must lock up the faculties of his nature, contribute as far as depends on his individual endeavours to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him. With the morals of the people, their industry also is destroyed. For in a warm climate, no man will labour for himself who can make another labour for him. This is so true, that of the proprietors of slaves a very small proportion indeed are ever seen to labour. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with his wrath? Indeed I tremble for my country when I reflect that God is just: that his justice cannot sleep for ever: that considering numbers, nature and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events: that it may become probable by supernatural interference! The Almighty

has no attribute which can take side with us in such a contest.—But it is impossible to be temperate and to pursue this subject through the various considerations of policy, of morals, of history natural and civil. We must be contented to hope they will force their way into every one's mind. I think a change already perceptible, since the origin of the present revolution. The spirit of the master is abating, that of the slave rising from the dust, his condition mollifying, the way I hope preparing, under the auspices of heaven, for a total emancipation, and that this is disposed, in the order of events, to be with the consent of the masters, rather than by their extirpation.

Thomas Jefferson, *Notes on the State of Virginia* (London, 1787), 227–273 *passim*.

11. Arcadia in Nantucket (1782)

BY J. HECTOR ST. JOHN DE CRÈVECŒUR

Crèvecœur was a Frenchman of noble origin who settled on a farm near New York in 1754. His laudatory letters have been considered as one of the chief causes of the disastrous French settlement on the Ohio in 1793. — For Crèvecœur, see Tyler, *Literary History of the Revolution*, II, 347–358. — Bibliography: Obed Macy, *History of Nantucket;* Jeremiah Colburn, *Bibliography of the Local History of Massachusetts*, 77–78.

THE manners of *the Friends* are entirely founded on that simplicity which is their boast, and their most distinguished characteristic; and those manners have acquired the authority of laws. Here they are strongly attached to plainness of dress, as well as to that of language; insomuch that though some part of it may be ungrammatical, yet should any person who was born and brought up here, attempt to speak more correctly, he would be looked upon as a fop or an innovator. On the other hand, should a stranger come here and adopt their idiom in all its purity (as they deem it) this accomplishment would immediately procure him the most cordial reception; and they would cherish him like an ancient member of their society. So many impositions have they suffered on this account, that they begin now indeed to grow more cautious. They are so tenacious of their ancient habits of industry and frugality, that if any of them were to be seen with a long coat made of English cloth, on any other than the *first-day* (Sunday) he would be greatly ridiculed and censured; he

would be looked upon as a careless spendthrift, whom it would be unsafe to trust, and in vain to relieve. . . .

Idleness is the most heinous sin that can be committed in Nantucket: an idle man would soon be pointed out as an object of compassion: for idleness is considered as another word for want and hunger. This principle is so thoroughly well understood, and is become so universal, so prevailing a prejudice, that literally speaking, they are never idle. Even if they go to the market-place, which is (if I may be allowed the expression) the coffee-house of the town, either to transact business, or to converse with their friends; they always have a piece of cedar in their hands, and while they are talking, they will, as it were instinctively, employ themselves in converting it into something useful, either in making bungs or spoyls for their oil casks, or other useful articles. . . . You will be pleased to remember they are all brought up to the trade of coopers, be their future intentions or fortunes what they may: therefore almost every man in this island has always two knives in his pocket, one much larger than the other; and though they hold every thing that is called *fashion* in the utmost contempt, yet they are as difficult to please, and as extravagant in the choice and price of their knives, as any young buck in Boston would be about his hat, buckles, or coat. . . . As the sea excursions are often very long, their wives in their absence, are necessarily obliged to transact business, to settle accounts, and in short, to rule and provide for their families. These circumstances being often repeated, give women the abilities as well as a taste for that kind of superintendency, to which, by their prudence and good management, they seem to be in general very equal. This employment ripens their judgement, and justly entitles them to a rank superior to that of other wives; and this is the principal reason why those of Nantucket . . . are so fond of society, so affable, and so conversant with the affairs of the world. The men at their return, weary with the fatigues of the sea, full of confidence and love, chearfully give their consent to every transaction that has happened during their absence, and all is joy and peace. "Wife, thee hast done well," is the general approbation they receive, for their application and industry. What would the men do without the agency of these faithful mates? The absence of so many of them at particular seasons, leaves the town quite desolate; and this mournful situation disposes the women to go to each other's house much oftener than when their husbands are at home: hence the custom of incessant visiting has infected every one, and even those

whose husbands do not go abroad. The house is always cleaned before they set out, and with peculiar alacrity they pursue their intended visit, which consists of a social chat, a dish of tea, and an hearty supper. When the good man of the house returns from his labour, he peaceably goes after his wife and brings her home; mean while the young fellows, equally vigilant, easily find out which is the most convenient house, and there they assemble with the girls of the neighbourhood. Instead of cards, musical instruments, or songs, they relate stories of their whaling voyages, their various sea adventures, and talk of the different coasts and people they have visited. "The island of Catharine in the Brazils," says one, "is a very droll island, it is inhabited by none but men; women are not permitted to come in sight of it; not a woman is there on the whole island. Who among us is not glad it is not so here? The Nantucket girls and boys beat the world." At this innocent sally the titter goes round, they whisper to one another their spontaneous reflections: puddings, pyes, and custards never fail to be produced on such occasions; for I believe there never were any people in their circumstances, who live so well, even to superabundance. . . . This lasts until the father and mother return; when all retire to their respective homes, the men reconducting the partners of their affections.

Thus they spend many of the youthful evenings of their lives; no wonder therefore, that they marry so early. But no sooner have they undergone this ceremony than they cease to appear so chearful and gay; the new rank they hold in the society impresses them with more serious ideas than were entertained before. The title of master of a family necessarily requires more solid behaviour and deportment; the new wife follows in the trammels of Custom, which are as powerful as the tyranny of fashion; she gradually advises and directs; the new husband soon goes to sea, he leaves her to learn and exercise the new government, in which she is entered. . . .

To this dexterity in managing the husband's business whilst he is absent, the Nantucket wives unite a great deal of industry. They spin, or cause to be spun in their houses, abundance of wool and flax; and would be for ever disgraced and looked upon as idlers if all the family were not clad in good, neat, and sufficient homespun cloth. . . . there is no kind of difference in their dress, they are all clad alike, and resemble in that respect the members of one family. . . .

The majority of the present inhabitants are the descendants of the twenty-seven first proprietors, who patenteed the island; of the rest,

many others have since come over among them, chiefly from the Massachusets: here are neither Scotch, Irish, nor French, as is the case in most other settlements; they are an unmixed English breed. The consequence of this extended connexion is, that they are all in some degree related to each other: you must not be surprized therefore when I tell you, that they always call each other cousin, uncle or aunt; which are become such common appellations, that no other are made use of in their daily intercourse: you would be deemed stiff and affected were you to refuse conforming yourself to this ancient custom, which truly depicts the image of a large family. . . .

Such an island inhabited as I have described, is not the place where gay travellers should resort, in order to enjoy that variety of pleasures the more splendid towns of this continent afford. Not that they are wholly deprived of what we might call recreations, and innocent pastimes; but opulence, instead of luxuries and extravagancies, produces nothing more here than an increase of business, an additional degree of hospitality, greater neatness in the preparation of dishes, and better wines. They often walk and converse with each other, as I have observed before; and upon extraordinary occasions, will take a ride to Palpus, where there is an house of entertainment; but these rural amusements are conducted upon the same plan of moderation, as those in town. They are so simple as hardly to be described; the pleasure of going and returning together; of chatting and walking about, of throwing the bar, heaving stones, &c. are the only entertainments they are acquainted with. This is all they practice, and all they seem to desire. The house at Palpus is the general resort of those who possess the luxury of a horse and chaise, as well as of those who still retain, as the majority do, a predilection for their primitive vehicle. By resorting to that place they enjoy a change of air, they taste the pleasures of exercise; perhaps an exhilirating bowl, not at all improper in this climate, affords the chief indulgence known to these people, on the days of their greatest festivity. The mounting a horse, must afford a most pleasing exercise to those men who are so much at sea. I was once invited to that house, and had the satisfaction of conducting thither one of the many beauties of that island (for it abounds with handsome women) dressed in all the bewitching attire of the most charming simplicity: like the rest of the company, she was chearful without loud laughs, and smiling without affectation. They all appeared gay without levity. I had never before in my life seen so much unaffected mirth, mixed with so much modesty.

. . . We returned as happy as we went; and the brightness of the moon kindly lengthened a day which had past, like other agreeable ones, with singular rapidity.

J. Hector St. John [de Crèvecœur], *Letters from an American Farmer* (London, 1782), 194–207 *passim*.

12. Characteristics of America (1784)

BY BENJAMIN FRANKLIN

Franklin was justly considered in Europe as preëminent authority on all matters relating to social conditions in America. — For Franklin, see P. L. Ford, *Franklin Bibliography: Contemporaries*, II, No. 68. — Bibliography: Channing and Hart, *Guide*, § 145. — For later characterizations, see Nos. 156, 157 below.

MANY persons in Europe having directly or by letters, expressed to the Writer of this, who is well acquainted with North America, their desire of transporting and establishing themselves in that Country; but who appear to him to have formed through ignorance, mistaken ideas and expectations of what is to be obtained there; he thinks it may be useful, and prevent inconvenient, expensive and fruitless removals and voyages of improper persons, if he gives some clearer and truer notions of that part of the world than appear to have hitherto prevailed. . . .

The truth is, that though there are in that country few people so miserable as the poor of Europe, there are also very few that in Europe would be called rich: It is rather a general happy mediocrity that prevails. There are few great Proprietors of the soil, and few Tenants; most people cultivate their own lands, or follow some handicraft or merchandise; very few [are] rich enough to live idly upon their rents or incomes; or to pay the high prices given in Europe, for Painting, Statues, Architecture, and the other works of Art that are more curious than useful. Hence the natural geniuses that have arisen in America, with such talents, have uniformly quitted that Country for Europe, where they can be more suitably rewarded. It is true that letters and mathematical knowledge are in esteem there, but they are at the same time more common than is apprehended; there being already existing nine Colleges, or Universities, viz. four in New-England, and one in each of the Provinces of New-York, New-Jersey, Pennsilvania, Maryland, and Virginia, all furnished with learned Professors; besides a number of smaller Acad-

emies: These educate many of their youth in the languages, and those sciences that qualify men for the professions of Divinity, Law, or Physic. Strangers indeed are by no means excluded from exercising those professions; and the quick increase of inhabitants every where gives them a chance of employ, which they have in common with the Natives. Of civil offices or employments, there are few; no superfluous ones as in Europe; and it is a rule established in some of the States, that no Office should be so profitable as to make it desirable. . . .

These ideas prevailing more or less in all the United States, it cannot be worth any man's while, who has a means of living at home, to expatriate himself in hopes of obtaining a profitable civil office in America; and as to military offices, they are at an end with the war, the armies being disbanded. Much less is it adviseable for a person to go thither who has no other quality to recommend him but his birth. In Europe it has indeed its value; but it is a commodity that cannot be carried to a worse market than to that of America, where people do not enquire concerning a stranger, *What is he?* but *What can he do?* If he has any useful art, he is welcome; and if he exercises it, and behaves well, he will be respected by all that know him; but a mere man of quality, who on that account wants to live upon the public, by some office or salary, will be despised and disregarded. . . .

With regard to encouragements for strangers from Government, they are really only what are derived from good laws and liberty. Strangers are welcome because there is room enough for them all, and therefore the old inhabitants are not jealous of them; the laws protect them sufficiently, so that they have no need of the patronage of great men; and every one will enjoy securely the profits of his industry. But if he does not bring a fortune with him, he must work and be industrious to live. One or two years residence give him all the rights of a Citizen; but the Government does not at present, whatever it may have done in former times, hire people to become settlers, by paying their passages, giving land, negroes, utensils, stock, or any other kind of emolument whatsoever. In short, America is the land of labour, and by no means what the English call *Lubberland*, and the French *Pays de Cocagne*, where the streets are said to be paved with half-peck loaves, the houses tiled with pancakes, and where the fowls fly about ready roasted, crying, *Come eat me!* . . .

Land being cheap in that country, from the vast forests still void of inhabitants, and not likely to be occupied in an age to come, insomuch

that the propriety of an hundred acres of fertile soil full of wood may be obtained near the frontiers in many places, for eight or ten guineas, hearty young labouring men, who understand the husbandry of corn and cattle, which is nearly the same in that country as in Europe, may easily establish themselves there. A little money saved of the good wages they receive there while they work for others, enables them to buy the land and begin their plantation, in which they are assisted by the good will of their neighbours, and some credit. Multitudes of poor people from England, Ireland, Scotland, and Germany, have by this means in a few years become wealthy farmers, who in their own countries, where all the lands are fully occupied, and the wages of labour low, could never have emerged from the mean condition wherein they were born.

From the salubrity of the air, the healthiness of the climate, the plenty of good provisions, and the encouragement to early marriages, by the certainty of subsistance in cultivating the earth, the increase of inhabitants by natural generation is very rapid in America, and becomes still more so by the accession of strangers; hence there is a continual demand for more artisans of all the necessary and useful kinds, to supply those cultivators of the earth with houses, and with furniture and utensils of the grosser sorts, which cannot so well be brought from Europe. Tolerably good work-men in any of those mechanic arts, are sure to find employ, and to be well paid for their work, there being no restraints preventing strangers from exercising any art they understand, nor any permission necessary. If they are poor, they begin first as servants or journeymen; and if they are sober, industrious, and frugal, they soon become masters, establish themselves in business, marry, raise families, and become respectable Citizens.

Also, persons of moderate fortunes and capitals, who having a number of children to provide for, are desirous of bringing them up to industry, and to secure estates for their posterity, have opportunities of doing it in America, which Europe does not afford. There they may be taught and practice profitable mechanic arts, without incurring disgrace on that account; but on the contrary acquiring respect by such abilities. There small capitals laid out in lands, which daily become more valuable by the increase of people, afford a solid prospect of ample fortunes thereafter for those children. The Writer of this has known several instances of large tracts of land, bought on what was then the frontier of Pennsilvania, for ten pounds per hundred acres, which, after twenty years, when the settlements had been extended far beyond them, sold readily, with-

out any improvement made upon them, for three pounds per acre. The acre in America is the same with the English acre, or the acre of Normandy. . . .

Several of the Princes of Europe having of late, from [formed?] an opinion of advantage to arise by producing all commodities and manufactures within their own dominions, so as to diminish or render useless their importations, have endeavoured to entice workmen from other countries, by high salaries, privileges, &c. . . . This, however, has rarely been done in America; and when it has been done, it has rarely succeeded, so as to establish a manufacture, which the country was not yet so ripe for as to encourage private persons to set it up; labour being generally too dear there, and hands difficult to be kept together; every one desiring to be a master, and the cheapness of land inclining many to leave trades for agriculture. Some indeed have met with success, and are carried on to advantage; but they are generally such as require only a few hands, or wherein great part of the work is performed by machines. . . . Great establishments of manufacture, require great numbers of poor to do the work for small wages; these poor are to be found in Europe, but will not be found in America, till the lands are all taken up and cultivated, and the excess of people who cannot get land, want employment. . . . Therefore the Governments in America do nothing to encourage such projects. The people, by this means, are not imposed on, either by the Merchant or Mechanic; if the Merchant demands too much profit on imported shoes, they buy of the Shoemaker; and if he asks too high a price, they take them of the Merchant: Thus the two professions are checks on each other. The Shoemaker, however, has on the whole, a considerable profit upon his labour in America, beyond what he had in Europe, as he can add to his price a sum nearly equal to all the expences of freight and commission, risque or insurance, &c. necessarily charged by the Merchant. And the case is the same with the workmen in every other mechanic art. Hence it is, that artisans generally live better and more easily in America than in Europe; and such as are good œconomists, make a comfortable provision for age, and for their children. Such may, therefore, remove with advantage to America.

In the old long-settled countries of Europe . . . artisans, who fear creating future rivals in business, refuse to take apprentices, but upon conditions of money, maintenance, or the like, which the parents are unable to comply with. . . . In America, the rapid increase of

inhabitants takes away that fear of rivalship, and artisans willingly receive apprentices from the hope of profit by their labour, during the remainder of the time stipulated, after they shall be instructed. Hence it is easy for poor families to get their children instructed; for the artisans are so desirous of apprentices, that many of them will even give money to the parents, to have boys from ten to fifteen years of age bound apprentices to them, till the age of twenty-one; and many poor parents have, by that means, on their arrival in the country, raised money enough to buy land sufficient to establish themselves, and to subsist the rest of their family by agriculture. These contracts for apprentices are made before a Magistrate, who regulates the agreement according to reason and justice; and having in view the formation of a future useful Citizen, obliges the Master to engage by a written indenture, not only that during the time of service stipulated, the apprentice shall be duly provided with meat, drink, apparel, washing, and lodging, and at its expiration with a compleat new suit of clothes, but also that he shall be taught to read, write, and cast accompts; and that he shall be well instructed in the art or profession of his Master, or some other, by which he may afterwards gain a livelihood, and be able in his turn to raise a family. . . . This desire among the Masters to have more hands employed in working for them, induces them to pay the passages of young persons, of both sexes, who on their arrival agree to serve them one, two, three, or four years; those who have already learned a trade, agreeing for a shorter term, in proportion to their skill, and the consequent immediate value of their service; and those who have none, agreeing for a longer term, in consideration of being taught an art their poverty would not permit them to acquire in their own country.

The almost general mediocrity of fortune that prevails in America, obliging its people to follow some business for subsistence, those vices that arise usually from idleness, are in a great measure prevented. Industry and constant employment are great preservatives of the morals and virtue of a Nation. Hence bad examples to youth are more rare in America, which must be a comfortable consideration to parents. To this may be truly added, that serious Religion, under its various denominations, is not only tolerated, but respected and practised. Atheism is unknown there; Infidelity rare and secret; so that persons may live to a great age in that country without having their piety shocked by meeting with either an Atheist or an Infidel. And the Divine Being seems to have manifested his approbation of the mutual forbearance and kind-

ness with which the different sects treat each other, by the remarkable prosperity with which he has been pleased to favour the whole country.

Benjamin Franklin, *Two Tracts: Information to those who would Remove to America*, etc. (second edition, London, 1784), 3–24 *passim*.

13. Young Things in Virginia (1787)

BY LUCINDA LEE

Lucinda Lee, the probable writer of this journal, was the daughter of Thomas Ludwell Lee, niece of Richard Henry Lee, and granddaughter of "President" Thomas Lee. The diary was kept during a visit to her relatives, the Lees and the Washingtons. The date is probably 1787, instead of 1782. — Bibliography: Channing and Hart, *Guide*, §148. — For an earlier account of Virginian society, see *Contemporaries*, II, No. 82.

[September 19, "1782."] TO-DAY we dine at Old Mrs. Gordon's: I flatter myself I shall spend this day agreeably. This evening Colonel Ball insisted on our drinking tea with him: we did, and I was much pleased with my visit; his Wife was not at home.

I have returned, and am sitting alone, writing to my dearest Polly. I don't think I ever met with kinder, better People in my life; they do everything in their Power to make you happy. I have almost determined not to go to the races this Fall: every one appears to be astonished at [me,] but I am sure there is no sollid happiness to be found in such amusements. I don't think I could answer for myself if you were to go; and then I should only go to be with you. I have no notion of sacrificing my own ease and happiness to the Opinion of the world in these matters. They laugh, and tell me, while I am mopeing at home, other girls will be enjoying themselves at races and balls; but I never will, I am determined, go to one, unless I have an inclination. I would not have you think from this that I pay no regard to the opinion of the World; far from it: next to that of a good conscience, the opinion of the world is to be regarded. Always pay due regard to that.

[20.] I have spent this morning in reading *Lady Julia Mandeville*, and was much affected. Indeed, I think I never cried more in my life reading a Novel: the stile is beautiful, but the tale is horrid. I reckon you have read it. Some one just comes to tell us A Mr. Masenbird and Mr. Spotswood is come. We must go down, but I am affraid both

Sister's and my eyes will betray us. Adieu. I will describe the Gentlemen on my return.

Mr. Spotswood is the Gentleman we visited the other day. I think him handsome. Mr. Masenbird is an Englishman, and single, that has settled in this part of the World. I had heard he was a very uncouth creature, but he is quite the reverse — very polite, not handsome. . . .

[22.] We had a very pleasant walk; got a number of grapes and nuts in our way. Lucy and myself are going to walk in the Garden, to get some pink-seed I am anxious to have. The Gentlemen dined to-day at Mr. Masenbird's. Mrs. Gordon and sister are come: they have proposed cards, and I am called to join them. Adieu. . . .

We have supped, and the gentlemen are not returned yet. Lucy and myself are in a peck of troubles for fear they should return drunk. Sister has had our bed moved in her room. Just as we were undress'd and going to bed, the Gentlemen arrived, and we had to scamper. Both tipsy!

[23.] To-day is Sunday. Brother was so worsted by the frolick yesterday, we did not set off to-day. Old Mrs. Gordon dines here to-day. Lucy and myself are going to walk to the river, and get a nosegay of wild flowers. . . .

[28.] This morning Mr. Lee left us. Every time I see him I like him more and more. He has proved himself a truly good Brother. I am very uneasy with regard to Nancy — I wish to Heaven I could hear from her.

[29.] Mrs. Graem, Letty Ball, and Harry G—— called here to-day. Mrs. Graem, poor creature, appears much distressed at the death of her Children. When we come to consider, I think it much better for them: but how seldom can a Mother reason in this manner! . . .

[October 3.] Cousin Nancy and myself have just returned from taking an airing in the Chariot. We went to *Stratford:* walked in the Garden, sat about two hours under a butifull shade tree, and eat as many figs as we could. How did we wish for our dear Polly, and think that was the only thing we wanted to compleat our happiness! . . .

[5.] Mr. Pinkard and a Mr. Lee came here to-day from the Fredericksburg races. How sorry I was to hear "Republican" was beaten. I was really interested in that race. Adieu. I must crape my hair for dinner.

It is a delightful evening. Nancy and myself are going to take a

ride out in the Chariot. Oh, my Polly, why are you not here to join us! Away with such thoughts — they almost make me mellancholy. Nancy calls me. Adieu again. I come! I come!

We are returned, and had a delightful ride, and a much more delightful *tête-à-tête*. This Lee appears to be a hum-drum, disagreeable Creature. Tea is ready, and I must bid you good-by. . . .

[9.] I was in danger last night of commiting a great piece of rudeness; the Play Mr. Pinkard read us was the *Bell Strattagem*. Mr. Newton was by when it was read. Some one ask't him sometime afterwards what the Play was. He said the *Country Cousin*. I thought I should have burst with laughter!

The two Gentlemen went to the Court-house to-day. Molly and myself took a walk this evening, and should have walk't much farther had we not met the Gentlemen. Mr. Newton dismounted and walkt home with us.

[10.] I have seated myself to give you the adventures of to-day. Mr. C. Washington returned to-day from Fredericksburg. You can't think how rejoiced Hannah was, and how dejected in his absence she always is. You may depend upon it, Polly, this said Matrimony alters us mightely. I am afraid it alienates us from every one else. It is, I fear, the bane of Female Friendship. Let it not be with ours, my Polly, if we should ever Marry. Adieu. Harriet calls me to supper. Once more good-by.

[11.] Hannah and myself were going to take a long walk this evening, but were prevented by the two horred Mortals, Mr. Pinkard and Mr. Washington, who seized me and kissed me a dozen times in spite of all the resistance I could make. They really think, now they are married, they are prevaliged to do any thing.

[12.] I am going to tell you a little piece of a secret; but you must never mention it. Nancy had an admirer lately — who do you think it is? No other than Mr. Newton. He got his discard yesterday.

It is in the evening. Nancy and myself have been to visit our little garden (you have frequently heard me speak of it). We were so unfortunate as to make it on the side of the hill, and it is wash't very much. Do you visit our dear pledge, and think of your Lucy? How often do I think with rapture on the happy hours we spent sitting on the fence, singing and looking at the river with the Moon shining on it. Oh, how beautiful it look't! Adieu. . . .

[15.] I don't think you ever saw Cousin Turberville or Hannah.

The first is homely, but very polite and hospitable in her house. The latter has not a handsome face, but is a genteel person. They gave us a very polite reception. Hannah was dressed in a lead-courlered habbit, open, with a lylack lutestring scirt. She had a butifull crape cushon on, ornamented with gauze and flowers. . . .

[26.] I have but one moment to tell you we are just going to set out for *Bushfield*. Mr. Turberville's Coach is waiting for us at the road.

[27.] When we got here we found the House pretty full. Nancy was here. I had to dress in a great hurry for dinner. We spent the evening very agreeably in chatting. Milly Washington is a thousand times prettyer than I thought her at first, and very agreeable. About sunset, Nancy, Milly, and myself took a walk in the Garden (it is a most butifull place). We were mighty busy cutting thistles to try our sweethearts, when Mr. Washington caught us; and you can't conceive how he plagued us — chased us all over the Garden, and was quite impertinent.

I must tell you of our frolic after we went in our room. We took it into our heads to want to eat; well, we had a large dish of bacon and beaf; after that, a bowl of Sago cream; and after that, an apple pye. While we were eating the apple pye in bed — God bless you! making a great noise — in came Mr. Washington, dressed in Hannah's short gown and peticoat, and seazed me and kissed me twenty times, in spite of all the resistance I could make; and then Cousin Molly. Hannah soon followed, dress'd in his Coat. They joined us in eating the apple pye, and then went out. After this we took it in our heads to want to eat oysters. We got up, put on our rappers, and went down in the Seller to get them: do you think Mr. Washington did not follow us and scear us just to death? We went up tho, and eat our oysters. We slept in the old Lady's room too, and she sat laughing fit to kill herself at us. She is a charming old lady — you would be delighted with her. I forgot to tell, Mr. Beal attended us here. I have been makeing Milly play on the forti-pianer for me; she plays very well. I am more and more delighted with her. She has just returned from the Fredericksburg races, and has given me a full account of them. . . .

[29.] *Chantilly*. We got here late last night. In the evening, at Dr. Thomson's, we heard, just by, there were six people to be dipt. We had Curiosity to see them, and accordingly went. I assure you it is a very Solemn Sight. We brought two Beaux home with us — Mr. Beal and Mr. Stark. . . .

[31.] Mr. Beal is still here. I assure you I think him very clever. Nancy is not yet come. I am quite lost without her. I have seated myself at Nancy's desk to scribble a little — interrupted already. It is Cousin Molly. She is come to propose dressing Mr. Pinkard in Woman's cloaths. I assent, so away goes the pen.

Just as we had got Mr. Pinkard dress't, came Corbin, Hannah, and Nancy.

[November 1.] Nancy and myself have just returned from a delightful walk. What do you think of her? She sais she could almost sware Mr. Beal is my slave! I laugh, and tell her there is nothing in it; nor do I believe he is.

Mr. Pinkard came in just now, and like to have taken this from me, tho I luckily got it in my pocket before he could get it. . . .

[12.] Well, my dear, they are come, and, as I expected, brought Flora with them. She is very genteal, and wears monstrous Bustles. Her face is just as it always was. You, my dearest, that posses a great deal of Sencibility, would have supposed she would have been delighted to see me — far from it, I assure you. She saluted me just as if I had been a common acquaintance, and was not, I thought, at all glad to see me; but I suppose it is fashionable to affect indifference. I hope, my dearest, we shall always stear clear of such unnatural Fashions. . . .

Journal of a Young Lady of Virginia, 1782 (Baltimore, 1871), 10–55 *passim*.

14. Happy Boston (1788)

BY JEAN PIERRE BRISSOT DE WARVILLE

(Anonymous Translation, 1792)

Brissot was a liberal Frenchman who during his travels in the United States in 1788 found much that pleased him, especially in the social and economic conditions, to which subject he devoted a large portion of his book. — For Brissot, see H. T. Tuckerman, *America and her Commentators*, 82–88. — Bibliography of Boston: Channing and Hart, *Guide*, § 23. — For earlier accounts of New England life, see *Contemporaries*, II, Nos. 23, 80. — For books of travel, see Channing and Hart, *Guide*, § 24.

. . . WITH what pleasure did I contemplate this town, which first shook off the English yoke! which, for a long time, resisted all the seductions, all the menaces, all the horrors of a civil war! How I delighted to wander up and down that long street, whose simple

houses of wood border the magnificent channel of Boston, and whose full stores offer me all the productions of the continent which I had quitted ! How I enjoyed the activity of the merchants, the artizans, and the sailors ! It was not the noisy vortex of Paris ; it was not the unquiet, eager mien of my countrymen ; it was the simple, dignified air of men, who are conscious of liberty, and who see in all men their brothers and their equals. Every thing in this street bears the marks of a town still in its infancy, but which, even in its infancy, enjoys a great prosperity. . . .

. . . You no longer meet here that Presbyterian austerity, which interdicted all pleasures, even that of walking ; which forbade travelling on Sunday, which persecuted men whose opinions were different from their own. The Bostonians unite simplicity of morals with that French politeness and delicacy of manners which render virtue more amiable. They are hospitable to strangers, and obliging to friends ; they are tender husbands, fond and almost idolatrous parents, and kind masters. Music, which their teachers formerly proscribed as a diabolic art, begins to make part of their education. In some houses you hear the forte-piano. This art, it is true, is still in its infancy ; but the young novices who exercise it, are so gentle, so complaisant, and so modest, that the proud perfection of art gives no pleasure equal to what they afford. God grant that the Bostonian women may never, like those of France, acquire the malady of perfection in this art ! It is never attained, but at the expence of the domestic virtues. . . .

Neatness without luxury, is a characteristic feature of this purity of manners ; and this neatness is seen every where at Boston, in their dress, in their houses, and in their churches. Nothing is more charming than an inside view of the church on Sunday. The good cloth coat covers the man ; callicoes and chintzes dress the women and children, without being spoiled by those gewgaws which whim and caprice have added to them among our women. Powder and pomatum never sully the heads of infants and children : I see them with pain, however, on the heads of men : they invoke the art of the hair dresser ; for, unhappily, this art has already crossed the seas.

I shall never call to mind, without emotion, the pleasure I had one day in hearing the respectable Mr. Clarke, successor to the learned Doctor Chauncey, the friend of mankind. His church is in close union with that of Doctor Cooper . . . I remarked in this auditory, the exterior of that ease and contentment of which I have spoken ; that collected calmness, resulting from the habit of gravity, and the conscious presence of the

almighty; that religious decency, which is equally distant from grovelling idolatry, and from the light and wanton airs of those Europeans who go to a church as to a theatre

Spectatum veniunt, veniunt spectentur ut ipsæ.

. . . The discourse, the prayer, the worship, every thing, bore the same simplicity. The sermon breathed the best morality, and it was heard with attention.

The excellence of this morality characterizes almost all the sermons of all the sects through the Continent. The ministers rarely speak dogmas: universal tolerance, the child of American independence has banished the preaching of dogmas, which always leads to discussion and quarrels. All the sects admit nothing but morality, which is the same in all, and the only preaching proper for a great society of brothers.

This tolerance is unlimited at Boston; a town formerly witness of bloody persecutions, especially against the Quakers; where many of this sect paid, with their life, for their perseverance in their religious opinions. . . . Every one at present worships God in his own way at Boston. Anabaptists, Methodists, Quakers, and Catholics, profess openly their opinions: and all offices of government, places and emoluments, are equally open to all sects. Virtue and talents, and not religious opinions, are the tests of public confidence. . . .

There are many clubs at Boston. M. Chastellux speaks of a particular club held once a week. I was at it several times, and was much pleased with their politeness to strangers, and the knowledge displayed in their conversation. There is no coffee-house at Boston, New-York, or Philadelphia. One house in each town, that they call by that name, serves as an exchange.

One of the principal pleasures of the inhabitants of these towns, consists in little parties for the country, among families and friends. The principal expence of the parties, especially after dinner, is tea. In this, as in their whole manner of living, the Americans in general resemble the English. Punch, warm and cold, before dinner; excellent beef, and Spanish and Bordeaux wines, cover their tables, always solidly and abundantly served. Spruce beer, excellent cyder, and Philadelphia porter, precede the wines. . . .

It is remarked, that, in countries chiefly devoted to commerce, the sciences are not carried to any high degree. This remark applies to Boston. The university certainly contains men of worth and learning;

but science is not diffused among the inhabitants of the town. Commerce occupies all their ideas, turns all their heads, and absorbs all their speculations. Thus you find few estimable works, and few authors. The expence of the first volume of the Memoirs of the Academy of this town, is not yet covered; it is two years since it appeared. Some time since was published, the history of the late troubles in Massachusetts; it is very well written. The author has found much difficulty to indemnify himself for the expence of printing it. Never has the whole of the precious history of New Hampshire, by Belnap, appeared, for want of encouragement.

Poets, for the same reason, must be more rare than other writers. . . .

They publish a Magazine here, though the number of Gazettes is very considerable. The multiplicity of Gazettes proves the activity of commerce, and the taste for politics and news; the merits and multiplicity of Literary and Political Magazines are signs of the culture of the sciences.

You may judge from these details, that the arts, except those that respect navigation, do not receive much encouragement here. . . .

Let us not blame the Bostonians; they think of the useful, before procuring to themselves the agreeable. They have no brilliant monuments; but they have neat and commodious churches, but they have good houses, but they have superb bridges, and excellent ships. Their streets are well illuminated at night; while many ancient cities of Europe, containing proud monuments of art, have never yet thought of preventing the fatal effects of nocturnal darkness.

Besides the societies for the encouragement of agriculture and manufactures, they have another, known by the name of the Humane Society. Their object is to recover drowned persons. It is formed after the model of the one at London, as that is copied from the one at Paris. They follow the same methods as in Europe, and have rendered important succours.

The Medical Society is not less useful, than the one last mentioned. It holds a correspondence with all the country towns; to know the symptoms of local diseases, propose the proper remedies, and give instruction thereupon to their fellow-citizens.

Another establishment is the alms-house. It is destined to the poor, who, by age and infirmity, are unable to gain their living. It contains at present about 150 persons.

Another, called the work-house, or house of correction, is not so much

peopled as you might imagine. In a rising country, in an active port, where provisions are cheap, good morals predominate, and the number of thieves and vagabonds is small. These are vermin attached to misery; and there is no misery here. . . .

An employment which is, unhappily, one of the most lucrative in this state, is the profession of the Law. They preserve still the expensive forms of the English practice, which good sense, and the love of order, ought to teach them to suppress; they render advocates necessary; they have likewise borrowed from their fathers, the English, the habit of demanding exorbitant fees. But, notwithstanding the abuses of law proceedings, they complain very little of the Lawyers. . . .

J. P. Brissot de Warville, *New Travels in the United States of America* (Dublin, 1792), 93–114 *passim*.

15. Comfortable Philadelphia (1788)

BY JEAN PIERRE BRISSOT DE WARVILLE

(Anonymous Translation, 1792)

For Brissot, see No. 14 above. — Bibliography: Channing and Hart, *Guide*, § 23; *Contemporaries*, II, No. 28.

PHILADELPHIA may be considered as the metropolis of the United States. It is certainly the finest town, and the best built; it is the most wealthy, though not the most luxurious. You find here more men of information, more political and literary knowledge, and more learned societies. Many towns in America are more ancient; but Philadelphia has surpassed her elders. . . .

At ten o'clock in the evening all is tranquil in the streets; the profound silence which reigns there, is only interrupted by the voice of the watchmen, who are in small numbers, and who form the only patrole. The streets are lighted by lamps, placed like those of London.

On the side of the streets are footways of brick, and gutters constructed of brick or wood. Strong posts are placed to prevent carriages from passing on the footways. All the streets are furnished with public pumps, in great numbers. At the door of each house are placed two benches, where the family sit at evening to take the fresh air, and amuse

themselves in looking at the passengers. It is certainly a bad custom, as the evening air is unhealthful, and the exercise is not sufficient to correct this evil, for they never walk here: they supply the want of walking, by riding out into the country. They have few coaches at Philadelphia. You see many handsome waggons, which are used to carry the family into the country; they are a kind of long carriage, light and open, and may contain twelve persons. They have many chairs and sulkeys, open on all sides; the former may carry two persons, the latter only one. . . .

Philadelphia is built on a regular plan; long and large streets cross each other at right angles: this regularity, which is a real ornament, is at first embarrassing to a stranger; he has much difficulty in finding himself, especially as the streets are not inscribed, and the doors not numbered. It is strange that the Quakers, who are so fond of order, have not adopted these two conveniencies; that they have not borrowed them from the English, of whom they have borrowed so many things. This double defect is a torment to strangers. The shops, which adorn the principal streets, are remarkable for their neatness.

The State house, where the Legislature assembles, is a handsome building: by its side they are building a magnificent house of justice. . . .

Behind the State house is a public garden; it is the only one that exists in Philadelphia. It is not large; but it is agreeable, and one may breathe in it. It is composed of a number of verdant squares, intersected by alleys.

All the space from Front street on the Delaware to Front street on the Skuylkill, is already distributed into squares for streets and houses: they build here, but not so briskly as at New-York. The inhabitants wish for the aggrandizement of their city: they are wrong; Philadelphia is already too considerable. When towns acquire this degree of population, you must have hospitals, prisons, soldiers, police, spies, and all the sweeping train of luxury; that luxury which Penn wished to avoid. It already appears: they have carpets, elegant carpets; it is a favourite taste with the Americans; they receive it from the interested avarice of their old masters, the English. . . .

The Quakers have likewise carpets; but the rigorous ones blame this practice. They mentioned to me an instance of a Quaker from Carolina, who, going to dine with one of the most opulent at Philadelphia, was offended at finding the passage from the door to the staircase covered with a carpet, and would not enter the house; he said that he never

dined in a house where there was luxury; and that it was better to clothe the poor, than to clothe the earth.

If this man justly censured the prodigality of carpets, how much more severely ought he to censure the women of Philadelphia? I speak not here of the Quaker women; I refer my observations on them to the chapter which I reserve for that society. But the women of the other sects wear hats and caps almost as varied as those of Paris. They bestow immense expences on their toilet and head-dress, and display pretensions too affected to be pleasing. . . .

Notwithstanding the fatal effects that might be expected here from luxury, we may say with truth, that there is no town where morals are more respected. . . .

There is no town on the continent where there is so much printing done as at Philadelphia. Gazettes and book-stores are numerous in the town, and paper-mills in the State.

Among the printers and booksellers of this town, I remarked Mr. Carey, an Irish printer . . .

This printer, who unites great industry with great information, publishes a monthly collection, called *The American Museum*, which is equal to the best periodical publication in Europe. It contains every thing the most important that America produces in the arts, in the sciences, and in politics. The part that concerns agriculture, is attended to with great care. . . .

Since the peace, the Quakers have returned to their commerce with great activity. The capitals which diffidence had for a long time locked up in their coffers, are now drawn out to give a spring to industry, and encourage commercial speculations. The Delaware sees floating the flags of all nations; and enterprises are there formed for all parts of the world. Manufactories are rising in the town and in the country; and industry and emulation increase with great rapidity. Notwithstanding the astonishing growth of Baltimore, which has drawn part of the commerce from Philadelphia, yet the energy of the ancient capitals of this town, the universal estimation in which the Quaker merchants are held, and the augmentation of agriculture and population, supply this deficiency.

You will now be able to judge of the causes of the prosperity of this town. Its situation on a river navigable for the greatest ships, renders it one of the principal places of foreign commerce, and at the same time the great magazine of all the productions of the fertile lands of Pennsylvania, and of those of some of the neighbouring States. The vast riv-

ers, which by their numerous branches communicate to all parts of the State, give a value to the lands, and attract inhabitants. The climate, less cold than that of the Northern States, and less warm than that of the South, forms another very considerable attraction.

But I firmly believe that it is not simply to those physical advantages that Pennsylvania owes her prosperity. It is to the manners of the inhabitants; it is to the universal tolerance which reigned there from the beginning; it is to the simplicity, œconomy, industry, and perseverance of the Quakers, which, centering in two points, agriculture and commerce, have carried them to a greater perfection than they have attained among other sects. . . .

And since the table of population of a country appears to you always the most exact measure of its prosperity, compare, at four different epochs, the number of inhabitants paying capitation in Pennsylvania.

1760	1770	1779	1786
31,667	39,765	45,683	66,925.

You see that population has more than doubled in twenty-five years, notwithstanding the horrible depopulation of a war of eight years. Observe in this stating, that the blacks are not included, which form about one-fifth of the population of the State. Observe, that by the calculation of the general convention in 1787, the number of whites in this State was carried to 360,000; which supposes, very nearly, a wife and four children for every taxable head.

The public spirit which the Quakers manifest in every thing, has given rise to several useful institutions in Philadelphia, which I have not yet mentioned. One of them is the *Dispensary*, which distributes medicines *gratis* to the sick who are not in a situation to purchase them.

See how easy and cheap it is to do good. Let those men blush, then, who dissipate their fortunes in luxury and in idleness! One thousand six hundred and forty-seven persons were treated by this establishment during the year 1787. By calculation this treatment cost to the establishment five shillings and nine pence for each patient. Thus, for two hundred pounds sterling, sixteen hundred and forty-seven persons are rendered happy. . . .

Another society has for its object to alleviate the situation of prisoners.

The Philadelphians confine not their attention to their brethren; they extend it to strangers; they have formed a society for the assist-

ance of emigrants who arrive from Germany. A similar one is formed at New-York, called the Hibernian Society, for the succour of emigrants from Ireland. These societies inform themselves, on the arrival of a ship, of the situation of the emigrants, and procure them immediate employ.

Here is a company for insurance against fire. The houses are constructed of wood and brick, and consequently exposed to the ravages of fire. The insurers are the insured, a method which prevents the abuses to which your company at Paris is exposed.

J. P. Brissot de Warville, *New Travels in the United States of America* (Dublin, 1792), 312–328 *passim*.

16. Yellow Fever in Philadelphia (1793)

BY SAMUEL BRECK

Breck was a public-spirited merchant in Philadelphia who later became prominently connected with instruction for the blind. — Bibliography: McMaster, *History of the United States*, II, 125–134, 243–245, 344–350; Scharf and Westcott, *Philadelphia*, I *passim*.

I HAD scarcely become settled in Philadelphia when in July, 1793, the yellow fever broke out, and, spreading rapidly in August, obliged all the citizens who could remove to seek safety in the country. My father took his family to Bristol on the Delaware, and in the last of August I followed him. Having engaged in commerce, and having a ship at the wharf loading for Liverpool, I was compelled to return to the city on the 8th of September, and spend the 9th there. My business took me down to the Swedes' church and up Front street to Walnut street wharf, where I had my counting-house. Everything looked gloomy, and forty-five deaths were reported for the 9th. In the afternoon, when I was about returning to the country, I passed by the lodgings of the Vicomte de Noailles, who had fled from the Revolutionists of France. He was standing at the door, and calling to me, asked me what I was doing in town. "Fly," said he, "as soon as you can, for pestilence is all around us." And yet it was nothing then to what it became three or four weeks later, when from the first to the twelfth of October one thousand persons died. On the twelfth a smart frost came and checked its ravages.

The horrors of this memorable affliction were extensive and heart-rending. Nor were they softened by professional skill. The disorder was in a great measure a stranger to our climate, and was awkwardly treated. Its rapid march, being from ten victims a day in August to one hundred a day in October, terrified the physicians, and led them into contradictory modes of treatment. They, as well as the guardians of the city, were taken by surprise. No hospitals or hospital stores were in readiness to alleviate the sufferings of the poor. For a long time nothing could be done other than to furnish coffins for the dead and men to bury them. At length a large house in the neighborhood was appropriately fitted up for the reception of patients, and a few pre-eminent philanthropists volunteered to superintend it. At the head of them was Stephen Girard, who has since become the richest man in America.

In private families the parents, the children, the domestics lingered and died, frequently without assistance. The wealthy soon fled; the fearless or indifferent remained from choice, the poor from necessity. The inhabitants were reduced thus to one-half their number, yet the malignant action of the disease increased, so that those who were in health one day were buried the next. The burning fever occasioned paroxysms of rage which drove the patient naked from his bed to the street, and in some instances to the river, where he was drowned. Insanity was often the last stage of its horrors.

In November, when I returned to the city and found it repeopled, the common topic of conversation could be no other than this unhappy occurrence; the public journals were engrossed by it, and related many examples of calamitous suffering. One of these took place on the property adjacent to my father's. The respectable owner, counting upon the comparative security of his remote residence from the heart of the town, ventured to brave the disorder, and fortunately escaped its attack. He told me that in the height of the sickness, when death was sweeping away its hundreds a week, a man applied to him for leave to sleep one night on the stable floor. The gentleman, like every one else, inspired with fear and caution, hesitated. The stranger pressed his request, assuring him that he had avoided the infected parts of the city, that his health was very good, and promised to go away at sunrise the next day. Under these circumstances he admitted him into his stable for that night. At peep of day the gentleman went to see if the man was gone. On opening the door he found him lying on the floor delirious and in a burning fever. Fearful of alarming his family, he kept it a secret from

them, and went to the committee of health to ask to have the man removed.

That committee was in session day and night at the City Hall in Chestnut street. The spectacle around was new, for he had not ventured for some weeks so low down in town. The attendants on the dead stood on the pavement in considerable numbers soliciting jobs, and until employed they were occupied in feeding their horses out of the coffins which they had provided in anticipation of the daily wants. These speculators were useful, and, albeit with little show of feeling, contributed greatly to lessen, by competition, the charges of interment. The gentleman passed on through these callous spectators until he reached the room in which the committee was assembled, and from whom he obtained the services of a quack doctor, none other being in attendance. They went together to the stable, where the doctor examined the man, and then told the gentleman that at ten o'clock he would send the cart with a suitable coffin, into which he requested to have the dying stranger placed. The poor man was then alive and begging for a drink of water. His fit of delirium had subsided, his reason had returned, yet the experience of the *soi-disant* doctor enabled him to foretell that his death would take place in a few hours; it did so, and in time for his corpse to be conveyed away by the cart at the hour appointed. This sudden exit was of common occurrence. The whole number of deaths in 1793 by yellow fever was more than four thousand. Again it took place in 1797, '98 and '99, when the loss was six thousand, making a total in these four years of ten thousand.

Samuel Breck, *Recollections* (edited by H. E. Scudder, Philadelphia, 1877), 193–196.

17. Fashions in New York (1796–1797)

BY RACHEL HUNTINGTON

Rachel Huntington was the young daughter of Benjamin Huntington, a prominent patriot, governor of Connecticut, and member of Congress. — Bibliography of New York: Channing and Hart, *Guide*, § 23. — For costumes and fashions, see Alice M. Earle, *Costume of Colonial Times*; Boston Public Library, *Bulletins*, II, 348–350.

My Dear Sisters New York *November 19th 1796*

THIS is the first time I have had leasure to write to you, since I parted from you at Norwich, perhaps by this time, a little narrative of my adventures, will not be ungratefull to you. — About thre hours

after Cousin Alice & I left you, we arrived at New London; we went immediately to Mr Laws, made a good visit, & about four o clock P M embarked for N York, which we reached in 15 hours; we went directly to Brother Henry's, & Alice, finding on enquiry that Mr W Fitch's family were at Stamford & Mrs Watsons, about setting out for Bethlehem, concluded to take up her abode with me while we stay in town — Monday & Tuesday we went a shopping all about town, Wensday morning went to Mr Watsons, & in the evening to the Theatre, where the tragedy of the Earl of Essex, (founded on the story of Queen Elizabeth, & the Earl of Essex,) or the unhappy favorite, & the Padlock a musical entertainment were performed with considerable applause — I confess to you, I was not so delighted with the play, as I expected to be, but there are very few plays, that have nothing disgusting in them — I spent Thursday at Mr W Wolsey's with Mrs John Davenport, her daughter Mary Davenport, Cousin Alice, & Miss Patty Dwight, a niece of Mrs Wolsey's, from North Hampton — last night we were again at the Theatre, & were entertained with the Comedy of the young quaker, & my Grandmother, a whimsical, well performed, farce, — I believe you will think dissipation has got fast hold of me, but do not be troubled, I will shake it off whenever it is necessary —

I have bought a camels hair shawl for Lucy, & some lace, which I shall send by Culver, I shall buy some knitting nedles for Nancy, & also a brown beaver hat if I can find one that I think would suit her; I have been to Mr Tiffin's for one, & he has none but sattin beavers, which are extravagantly dear & in my opinion not so good as the other kind — I will enquire further & if I cant find a brown hat to suit my *fancy*, shall buy a green one, like one I purchased for myself —

I think it is probale Miss Cogswell [and] I shall go to Stamford about the middle of next week, but cannot certainly tell — I'd like to have forgot to tell you that Doctor Brown has been here, & brought me a letter from Benjamin, & I wrote by him to Ben — He desired me to give his compliments to Father & Nancy, he says he thinks it very probable, brother George & Lady visit Norwich this winter, so I told him Lucy would return with them, if they should, — O sisters! if I could see you but for one hour, what pleasure it would give me —

I am engaged to spend the day at Mr Cotton's tomorrow, it is quite late & I must rise early — Give my duty to Father, love to brother & sister, & their children & believe me most affectionately your sister

Misses L & A Huntington . . . Rachel Huntington

New York *May 28th 1797*

My dear sister

The enclosed pacquet was intended to be sent by General Floyd, but he went away before it was given to him — I have forgot what I wrote in it, but shall send it along & perhaps there *may* be something entertaining in it — Lucy I believe most of the comissions from you & sister Hannah have been attended to by Brother George or myself — I have bought two bands which are the most fashionable trimings for beaver hats, a white one for the blue hat, & a yellow one for the black one, they should be put twice around the crown & fastned forward in the form of a beau knot. Brother has got each of you a pink silk shawl which are very fashionable also — Many Ladies wear them for turbans, made in the manner that you used to make muslin ones last summer, George has given me one like them, The fine lace cost 10 shillings a yard, & I think it is very handsome. there is enough for two handkerchiefs & two double tuckers, the way to make handkerchief's is to set lace, or a ruffle on a strait piece of muslin, (only pieced on the back to make it set to your neck,) & put it on so as to show only the ruffle, & make it look as if it was set on the neck of your gown, many Ladies trim the neck of thier gowns with lace & go without handkerchiefs but I think it is a *neater* way to wear them — with fashionable gowns it will not be necessary to have much more than half a yard in the width of your tuckers — I send a doll, by Brother George which I intended to have dressd in a neater manner but really could not find time — it however has rather a fashionable appearance, the cap is made in a good form but you would make one much handsomer than I could, the beau to Miss *Dollys* poultice neck cloth is rather large but the thickness is very *moderate* — I think a cap crown & turban would become you — I have got a braid of hair which cost four dollars it should be fastned up with a comb, (without platting) under your turban if it has a crown & over it, if without a crown — Brother has got some very beautifull sattin muslin, & also some handsome "tartan plad" gingham for your gowns, there is a large pattern for two train gowns of the muslin, which should be made thre breadths wide two breadths to reach to the shoulder straps forward, & one breadth to be cut part of the way down before, to go over the shoulder & part of it to be pleated on to the shoulder straps, meeting the back breadths, & some of it to go around the neck, like the *doll's* — the pleats should be made pretty small, & not stitched to the lining, but you should wear binders over your shoulders — an inch & a half should

be the width of your binders. (I must have done writing this pretty soon. the last sentence if you observe is quite *poetical* — but let me *stick to my text Fashion*) It is the fashion to have draw strings fastned on the corners of the shoulder straps by the sleves on the back, and have a tack large enough for them to run in, made to cross on the back, run under the arms an inch below the sleves & tie before — I should advise you to have your gingham one made in that way, with draw'd sleves for sister Hannah & I have seen as large Ladies as you with them, & I think they would look very well for you Sleves should be made half a yard wide & not drawd less than seven or eight times, I think they look best to have two or three drawings close together & a plain spot alternately — Some of the ladies have thier sleves coverd with drawing tacks, & have thier elbows uncover'd if you dont like short sleves, you should have long ones with short ones to come down allmost to your *elbows*, drawed four or five by the bottom — if yo[u] want to walk with long gowns you must draw the train up thr'o one of the pocket holes, I have bought some callico for chints trimings for old gowns, if you have any that you wish to wear short they are very fashionable at present, & gowns that are trimed with them should be made only to touch the ground, there is enough of the dark stripe for one gown, & enough of the light for one there should be enough white left on the dark stripe to turn down to prevent its *ravelling*. I gave 10 shillings for the callico & have been laughed at for my 'foolish bargain' but I am not convinced that it is foolish The William street merchants ask three shillings a yard for trimings like the wide stripe & two for the narrow — I guess you will like the narrow — the kid shoes are of the most fashionable kind, & the others, of the best quality Brother George keeps enquiring for my letter — & as I have fill'd up my paper I'll leave the *improvement* for you to make With love to sister Hannah & Benjamin I am my dear sister yours, most affectionately

R Huntington

Miss Lucy Huntington

W. D. McCrackan, editor, *The Huntington Letters* (New York, 1897), 115–156 *passim*.

18. An Underground Prison (1807)

BY EDWARD AUGUSTUS KENDALL (1809)

Kendall was an English traveller who spent two years in New England. His descriptions are noted for their intelligence, candor, and unusual wealth of detail. This piece is inserted to show the low standards of the time in regard to the treatment of criminals, slaves, and dependents. — Bibliography of Connecticut: Channing and Hart, *Guide*, § 23. — For American prisons, see E. C. Wines, *Catalogue of Works on . . . Prison Discipline* (National Congress on Penitentiary and Reformatory Discipline, *Transactions*, 1870, pp. 588–622).

THE state-prison . . . is situate on West Mountain. It is in the town of Granby, but its own name is Newgate. Granby adjoins Windsor on the west, and was once a part of Simsbury. . . .

. . . Undeceived as to the first idea which presented itself, that this Newgate must be in the midst of some populous neighbourhood, I was scarcely better pleased when I discovered, that it stood almost in a solitude of wood and mountains. . . .

Ascending, by a rocky road, the western side of the mountain, I discovered at length the walls of the prison, rising gray upon the brow. On the east, the road was skirted, at a small distance, by lofty and precipitous craggs, and on the west lay extensive valleys, with mountains in the distance. . . .

The prisoners in the gaol are kept to hard labour at smiths' work, within the walls; and their task, which ends at four o'clock in the afternoon, commences at four o'clock in the morning. . . .

On being admitted into the gaol-yard, I found a sentry under arms within the gate, and eight soldiers drawn up in a line, in front of the gaoler's house. A bell, summoning the prisoners to work, had already rung; and in a few moments they began to make their appearance.

They came in irregular numbers, sometimes two or three together, and sometimes a single one alone; but, whenever one or more were about to cross the yard to the smithy, the soldiers were ordered to present, in readiness to fire. The prisoners were heavily ironed, and secured both by hand-cuffs and fetters; and, being therefore unable to walk, could only make their way by a sort of jump or a hop. On entering the smithy, some went to the sides of the forges, where collars, dependent by iron chains from the roof, were fastened round their necks, and others were chained in pairs to wheelbarrows. The number of prisoners was about forty; and when they were all disposed of, in the manner described, sentries were placed within the building which contained them. After

viewing thus far the economy of this prison, I left it, proposing to visit the cells at a later hour.

This establishment, as I have said, is designed to be, from all its arrangements, an object of terror; and every thing is accordingly contrived, to make the life endured in it as burdensome and miserable as possible.

In conformity with this idea, the place chosen for the prison is no other than the mouth of a forsaken copper-mine, of which the excavations are employed for cells. They are descended by a shaft, which is secured by a trap-door, within the prison-house, or gaoler's house, which stands upon the mine.

The trap-door being lifted up, I went down an iron ladder, perpendicularly fixed, to the depth of about fifty feet. From the foot of the ladder, a rough, narrow and low passage descends still deeper, till it terminates at a well of clear water, over which is an air-shaft, seventy feet in height, and guarded at its mouth, which is within the gaol-yard, by a hatch of iron. The cells are near the well, but at different depths, beneath the surface, none perhaps exceeding sixty feet. They are small, rugged, and accommodated only with wooden births, and some straw.

The straw was wet, and there was much humidity in every part of this obscure region; but I was assured I ought to attribute this only to the remarkable wetness of the season; that the cells were in general dry, and that they were not found unfavourable to the health of the prisoners.

Into these cells the prisoners are dismissed at four o'clock in the afternoon, every day without exception, and at all seasons of the year. They descend in their fetters and hand-cuffs; and at four o'clock in the morning they ascend the iron ladder, climbing it as well [as]they can, by the aid of their fettered limbs. It is to be observed that no women are confined here; the law providing, that female convicts, guilty of crimes for which men are to be confined in Newgate-prison, are to be sent only to the county-gaols.

Going again into the workshop or smithy, I found the attendants of the prison delivering pickled pork for the dinner of the prisoners. Pieces were given separately to the parties at each forge. They were thrown upon the floor, and left to be washed and boiled in the water used for cooling the iron wrought at the forges. Meat had been distributed in like manner for breakfast. The food of the prison is regulated for each day in the week; and consists in an alternation of pork, beef, and peas, with which last no flesh meat is allowed.

Besides the caverns or excavations below, and the gaoler's house above, there are other apartments prepared for the prisoners, and particularly a hospital, of which the neatness and airiness afford a strong contrast to the other parts of the prison. It was also satisfactory to find that in this hospital there were no sick.

Such is the seat and the scene of punishment, provided by Connecticut, for criminals, not guilty of murder, treason, or either of a few other capital offences. . . .

. . . As to the subterranean cells in this prison, they are rather adapted to convey horror to a transitory visitor, than to occasion any particular misery to those who become their inhabitants. A humane visitor will console himself with this reflection; but he will still call in question the rectitude of the persons by whom those inhabitants are placed there under a very different intention. . . .

But, though no large addition may be made to the misery of the prisoner, it does not follow that nothing is added to his depravity. Prisoners in this gaol are treated precisely as tigers are treated in a *menagerie;* and if the minds of men are influenced by education, then the education of a tiger may be expected to make a tiger of the man. From all persons in and about the gaol, you hear of nothing but the ferocious disposition of the prisoners, and of the continual fear in which they keep their keepers. . . .

So strong is the fear entertained, of violence on the part of the prisoners or of their friends, that the overseers are invested by law with the extraordinary power of seizing and "confining in the caverns, till they can be otherwise disposed of according to law, spectators and others who shall be found lurking without the pickets." Pickets formerly supplied the place of the present walls. The military guard consists in ten privates and three officers. Their regimentals are blue; and they compose the whole of the regular army of Connecticut.

What is further enacted betrays some of the peculiarities of the legislation received in the United States: "*Be it further enacted*, That at the expiration of the term of confinement for which any prisoner is, or shall be sentenced to Newgate-prison, if it appear by the warrant of commitment, that he is ordered to stand committed until the cost be paid, and such prisoner shall not be able to pay the cost, or to secure the same, to the acceptance of the overseers of said prison, in such case, the overseers are hereby authorised and empowered to assign such prisoner in service, to some inhabitant of this state, or of any of the United States,

for such term as they shall judge necessary, to pay such cost, taking reasonable security of such inhabitant to pay the same to the state; but if no suitable person appear to take in service such prisoner, the overseers may direct the master of the prison to hold him in service, within *said* prison, and for such term as may be limited by the overseers to pay such cost; who are directed to allow such prisoner, customary journeyman's wages for like services; and the master of the prison shall have power to confine such prisoner at his labour, so far as the safe keeping of the prisoners in general may demand. But if such prisoner shall be unable to labour, the overseers, first taking the best security for the cost that may be obtained, shall order the master to discharge him. *Be it further enacted,* That if any prisoner shall make his escape from said prison and shall be retaken, and recommitted, the necessary expense of pursuit and recommitment, to be allowed by the overseers, shall be paid and satisfied by such prisoner, as is herein provided for the payment of original bills of cost, taxed by the court; and the overseers shall dispose of such prisoner accordingly."

Edward Augustus Kendall, *Travels through the Northern Parts of the United States, in the Year 1807 and 1808* (New York, 1809), I, 206–218 *passim.*

CHAPTER III — ECONOMIC CONDITIONS, 1783–1800

19. A Great Plantation (1774)

BY PHILIP FITHIAN

After graduating from Princeton College, Fithian held the position of tutor in a prominent family in Virginia. Social and economic conditions in the South after the Revolution had not sensibly altered from those of ten years earlier. — Bibliography: Channing and Hart, *Guide*, § 148.

FRIDAY, March 18 [1774]. I have all along intended, and shall now attempt to give a short description of Nomini-Hall, and the several Buildings, and improvements adjoining it; as well for my own amusement, as also to be able with certainty to inform others of a Seat as magnificent in itself and with as many surrounding Conveniences, as any I have ever seen, and perhaps equal to any in this Colony.

Mr. *Carter* now possesses 60000 Acres of Land; and about 600 Negroes. But his Estate is much divided, and lies in almost every county in this Colony; He has Lands in the Neighbourhood of Williamsburg, and an elegant and Spacious House in that City. He owns a great part of the well known Iron-Works near Baltimore in Maryland. And he has one or more considerable Farms not far from Anapolis.

He has some large tracts of Land far to the West, at a place call'd "Bull Run," and the "Great Meadows" among the mountains. He owns Lands near Dumfries on the Potowmack; and large tracts in this and the neighbouring Counties. Out of these Lands, which are situated so remote from each other in various parts of these two large Provinces, Virginia and Maryland, Mr. Carter has chosen for the place of his habitation a high spot of Ground in Westmoreland County at the Head of the Navigation of the River Nomini, where he has erected a large Elegant House, at a vast expence, which commonly goes by the name of *Nomini-Hall*. This House is built with Brick, but the bricks have been covered with strong lime Mortar; so that the building is now perfectly white; it is seventy-six Feet long from East to West; and forty-four wide

from North to South, two Stories high; the Pitch of the lower story seventeen Feet, and the upper Story twelve. It has five Stacks of Chimneys, tho' two of these serve only for ornaments.

There is a beautiful Jutt, on the South side, eighteen feet long, and eight Feet deep from the wall which is supported by three tall pillars. On the South side, or front, in the upper story are four Windows each having twenty-four Lights of Glass. In the lower story are two Windows each having forty-two Lights of Glass, and two Doors each having Sixteen Lights. At the East end the upper story has three Windows each with eighteen Lights; and below two Windows both with eighteen Lights and a Door with nine.

The North side I think is most beautiful of all; In the upper Story is a Row of seven Windows with eighteen Lights a piece; and below six windows, with the like number of lights; besides a large Portico in the middle, at the sides of which are two Windows each with eighteen Lights. At the West end are no Windows. The Number of Lights in all is five hundred, and forty-nine. There are four Rooms on a Floor, disposed of in the following manner. Below is a dining Room where we usually sit; the second is a dining-Room for the Children; the third is Mr. Carters study; and the fourth is a Ball-Room thirty Feet long. Above stairs, one Room is for Mr. and Mrs. Carter; the second for the young Ladies; and the other two for occasional Company. As this House is large, and stands on a high piece of Land it may be seen a considerable distance; I have seen it at the Distance of six Miles.

At equal Distances from each corner of this Building stand four other considerable Houses, which I shall next a little describe. First, at the North East corner, and at 100 yards Distance stands the School House;

At the North-West Corner, and at the same Distance stands the stable; At the South-West Corner, and at the same Distance, stands the Coach-House; And lastly, at the South-East, and at an equal distance stands the Wash-House. These four Houses are the corners of a Square of which the Great-House is the Center. First the School-House is forty five feet long, from East to West, and twenty-seven from North to South; It has five well-finished, convenient Rooms, three below stairs, and two above; It is built with Brick a Story and a half high with Dormant Windows; In each Room is a fire; In the large Room below-Stairs we keep our School; the other two Rooms below which are smaller are allowed to Mr. Randolph the Clerk; The Room above the School-Room Ben and I live in; and the other Room above Stairs

belongs to *Harry* and *Bob*. Five of us live in this House with great Neatness, and convenience; each one has a Bed to himself.

And we are call'd by the Bell to the Great-House to Breakfast &c. The Wash-House is built in the same form, and is of the same Size of the School-House. From the front yard of the Great House, to the Wash-House is a curious *Terrace*, covered finely with Green turf, and about five foot high with a slope of eight feet, which appears exceeding well to persons coming to the front of the House. This *Terrace* is produced along the Front of the House, and ends by the Kitchen; but before the Front-Doors is a broad flight of steps of the same Height, and slope of the *Terrace*.

The Stable and coach-House are of the same Length and Breadth as the School- and Wash-House, only they are higher pitched to be convenient for holding Hay and Fodder.

Due East of the Great House are two Rows of tall, flourishing, beautiful Poplars, beginning on a Line drawn from the School to the Wash-House; these Rows are something wider than the House, and are about 300 yards Long, at the Eastermost end of which is the great Road leading through Westmorland to Richmond. These Rows of Poplars form an extremely pleasant avenue, and at the Road, through them, the House appears most romantic, at the same time that it does truly elegant. The Area of the Triangle made by the Wash-House, Stable and School-House is perfectly levil, and designed for a bowling-Green, laid out in rectangular Walks which are paved with Brick, and covered over with burnt Oyster-Shells. In the other Triangle, made by the Wash-House, Stable, and Coach-House is the Kitchen, a well-built House, as large as the School-House; Bake-House; Dairy; Store-House and several other small houses; all which stand due West, and at a small distance from the great House, and form a little handsome Street. These Buildings stand about a quarter of a Mile from a Fork of the River Nomini, one Branch of which runs on the East of us, on which are two Mills; one of them belongs to Mr. Turburville the other to Mr. Washington, both within a mile. another branch of the River runs on the West of us, on which and at a small distance above the House stands Mr. Carter's Merchant Mill . . . to go to the mill from the House we descend I imagine above an 100 Feet; the Dam is so broad that two carriages may pass conveniently on it; and the Pond from twelve to Eighteen Foot water. at the fork Mr. Carter has a Granary, where he lands his Wheat for the mill, Iron from the Works etc. . . .

Tuesday, March 24. At Breakfast Mr. Carter entertained-us with an account of what he himself saw the other Day, which is a strong Representation of the cruelty and distress which many among the Negroes suffer in Virginia!

Mr. Carter dined at Squire Lees some few Weeks ago; at the same place, that day, dined also Mr. George Turburville and his Wife. As Mr. Carter rode up he observed Mr. Turburville's Coach-Man sitting on the Chariot-Box, the Horses off. After he had made his compliments in the House, He had occasion soon after to go to the Door, when he saw the Coachman still sitting, and on examination found that he was there fast chained! The Fellow is inclined to run away, and this is the method which This Tyrant makes use of to keep him when abroad; and So soon as he goes home he is delivered into the pityless Hands of a bloody Overseer! In the Language of a Heathen I query whether cunning old *Charon* will not refuse to transport this imperious, haughty Virginian Lord When he shall happen to die over the Styx to the Elysian Gardens; lest his Lordship in the passage should take affront at the treatment, and attempt to chain him also to the Stygean Galley for Life!

Or, In the language of a Christian, I query whether he may be admitted into the peaceful Kingdom of Heaven where meekness, Holiness, and Brotherly-Love, are distinguishing Characteristicks?

Monday, April 4. After Supper I had a long conversation with Mrs. Carter concerning Negroes in Virginia, and find that She esteems their value at no higher rate than I do. We both concluded, (I am pretty certain that the conclusion is just) that if in Mr. Carters, or in any Gentlemans Estate, all the Negroes should be sold, and the money put to Interest in safe hands, and let the Lands which these Negroes now work lie wholly uncultivated, the bare Interest of the Price of the Negroes would be a much greater yearly income than what is now received from their working the Lands, making no allowance at all for the trouble and Risk of the Masters as to the Crops, and Negroes. How much greater then must be the value of an Estate here if these poor enslaved Africans were all in their native desired Country, and in their Room industrious Tenants, who being born in freedom, by a laudable care, would not only inrich their Landlords, but would raise a hardy Offspring to be the Strength and the honour of the Colony.

Journal of Philip Fithian, in *American Historical Review* (New York, etc., 1900), V, 303–307 *passim*.

20. Manufactures and Trade of the United States (1790)

BY JEAN PIERRE BRISSOT DE WARVILLE

(ANONYMOUS TRANSLATION, 1792)

For Brissot, see No. 14 above. — Bibliography: J. L. Bishop, *History of American Manufactures;* Channing and Hart, *Guide*, §§ 148, 153.

MANY publications give, as an incontestible maxim, "*A nation must import as little as possible, and export as much as possible.*" If they mean by this that she ought to produce as much as possible at home, it is true; but if they understand that a nation is necessarily poor when she imports much, it is false. For if she imports, she either consumes, and of consequence has wherewith to pay, or she re-exports, and consequently makes a profit. This maxim, like most of the dogmas of commerce, so confidently preached by the ignorant, is either trivial or false. The importations into the United States have much increased since the peace, as you will see by the following account of them . . .

The following is the statement of the principal articles:

Rum, brandy, and other spirits	4,000,000	gall.
Wine	1,000,000	
Hyson tea	125,000	lb.
Sugar	20,000,000	
Coffee, cocoa, and chocolate	1,500,000	
Molasses	3,000,000	[gall.]
Salt	1,000,000	barrl

Besides the above articles, the importations of dry goods amount to more than twenty millions of dollars annually.

This general estimate is calculated from the custom-house books at New-York for three years. Taking for basis that New-York makes one-fifth of the general importations of the United States, it is believed that most of these articles are estimated much too low; and this idea is supported by the amount of duties collected since the new federal system has begun its operations. . . .

If any thing can give an idea of the high degree of prosperity, to which these confederated republics are making rapid strides, it is the contemplation of these two subjects [exportations and manufactures]. It is impossible to enumerate all the articles to which they have turned

their attention; almost one-half of which were unknown before the war. Among the principal ones are ship-building, flour, rice, tobacco, manufactures in woollen, linen, hemp, and cotton; the fisheries, oils, forges, and the different articles in iron and steel; instruments of agriculture, nails, leather, and the numerous objects in which they are employed; paper, paste-board, parchment, printing, pot-ash, pearl-ash, hats of all qualities, ship-timber, and the other wood of construction; cabinet work, cordage, cables, carriages; works in brass, copper and lead; glass of different kinds; gunpowder, cheese, butter, callicoes, printed linen, indigo, furrs, &c. Ship-building is one of the most profitable branches of business in America. They built ships here before the war; but they were not permitted to manufacture the articles necessary to equip them; every article is now made in the country. A fine ship, called the *Massachusetts*, of eight hundred tons, belonging to Mr. Shaw, had its sails and cordage wholly from the manufacture of Boston; this single establishment gives already two thousand yards of sail-cloth a week.

Breweries augment every where, and take place of the fatal distilleries. There are no less than fourteen good breweries in Philadelphia. The infant woollen manufactory at Hartford, from September 1778 to September 1789, gave about five thousand yards of cloth, some of which sells at five dollars a yard; another at Watertown, in Massachusetts, promises equal success, and engages the farmers to multiply their sheep.

Cotton succeeds equally well. The spinning machines of Arkwright are well known here and are made in the country.

We have justly remarked in our work on the United States, that nature invites the Americans to the labour of the forge, by the profuse manner in which she has covered their soil with wood, and interspersed it with metal and coals. Pennsylvania, New-Jersey, and Delaware, make annually three hundred and fifty tons of steel, and six hundred tons of nails and nail rods. These articles are already exported from America; as are machines for carding wool and cotton, particularly common cards, which are cheaper than the English, and of a superior quality. In these three States are sixty-three paper-mills, which manufacture annually to the amount of 250,000 dollars. The State of Connecticut last year made five thousand reams, which might be worth nine thousand dollars.

The prodigious consumption of all kinds of glass, multiplies the establishment of glass works. The one on the Potowmack employs five

hundred persons. They have begun with success, at Philadelphia, the printing of callicoes, cotton, and linen. Sugar refiners are increasing every where. In Pennsylvania are twenty-one powder-mills, which are supposed to produce annually 625 tons of gun-powder.

Among the principal articles of exportation are wheat and flour. To form an idea of the augmentation of exports in the article of flour, take the following facts: Philadelphia exported in the year

1786 - 150,000 barrels.
1787 - 202,000
1788 - 220,000
1789 - 360,000 . . .

In this commerce [trade to the East Indies], my friend, you may see displayed the enterprizing spirit of the Americans; the first motive to it, was the hope of œconomizing in the price of East-India goods, which they formerly imported from England, and this œconomy must be immense, if we judge of it by the great consumption of tea in America, and the high price it bears in England. In the year 1761, the English American colonies sent to England 85,000*l.* sterling in Spanish dollars for this single article, and since that time the consumption of it has at least tripled.

Another motive which encouraged them to push this commerce, was the hope of being able to supply South-America, the Spanish and other islands, and even the markets of Europe, with the goods of the East; and to obtain every where the preference, by the low price at which they might be afforded. And this project is not without foundation. The nature of things invites the Americans to become the first carriers in the world. They build ships at two-thirds of the expence that they are built at in Europe: they navigate with less seamen, and at less expence, although they nourish their seamen better: they navigate with more safety, with more cleanliness, and with more intelligence, because the spirit of equality, which reigns at home, attends them likewise at sea. Nothing stimulates men to be good sailors like the hope of becoming captains.

The productions of their country are more favourable to this commerce than those of Europe. They carry ginseng to China; plank, ship-timber, flour, and salted provisions to the Cape of Good Hope, and to the isles of France and Bourbon. They are not, therefore, obliged to export so great a proportion of specie as the Europeans, who have

establishments in the East. They are not obliged like them, to maintain, at an enormous expence, troops, forts, ships of war, governors, intendants, secretaries, clerks, and all the tools of despotism, as useless as they are expensive; of which the price must be added to that of the articles of this commerce.

No sea is impenetrable to the navigating genius of the Americans. You see their flag every where displayed; you see them exploring all islands, studying their wants, and returning to supply them. . . .

A sloop from Albany, of sixty tons and eleven men, had the courage to go to China. The Chinese, on seeing her arrive, took her for the cutter of some large vessel, and asked where was the great ship? We are the great ship; answered they to the Chinese, stupified at their hardiness.

. . . Our papers have resounded with the quarrels of the English and Spaniards for the commerce of Nootka Sound. The Americans make no quarrels; but they have already made a considerable commerce on the same coast in furrs and peltry. They were there trading in the year 1789, in good intelligence with both parties. In the same year, no less than forty-four vessels were sent from the single town of Boston to the north-west of America, to India, and to China. They bound not their hopes here: they expect, one day, to open a communication more direct to Nootka Sound. It is probable that this place is not far from the head waters of the Missisippi; which the Americans will soon navigate to its source, when they shall begin to people Louisiana and the interior of New Mexico.

This will be a fortunate epoch to the human race, when there shall be a third great change in the routes of maritime commerce. The Cape of Good Hope will then lose its reputation, and its afflux of commerce, as the Mediterranean had lost it before. The passage which the free Americans are called upon to open, which is still unknown, which however, is easy to establish, and which will place the two oceans, the Atlantic and Pacific, in communication, is by the passage by the lake of *Nicaragua*. Nature so much favours this communication, which is destined to shorten the route to the East-Indies, that the obstinacy of the nation which now possesses the country, cannot long withstand its being opened. . . .

J. P. Brissot de Warville, *New Travels in the United States of America* (Dublin, 1792), 461–473 *passim*.

21. Internal Transportation (1791)

BY ELKANAH WATSON

Watson was an agriculturalist, a traveller, and an active promoter of public enterprises. He was one of the forefathers of the Erie Canal. His descriptions are notable for accuracy and for the display of keen insight. — Bibliography: McMaster, *History of the United States*, I–II *passim*. — See also ch. xxv below.

SEPTEMBER 4 [1791] — We proceeded on our journey with a miserably covered wagon, and in a constant rain, till night, which brought us to Maj. Schuyler's mills, in Palatine . . .

September 7 . . . At Eldridge's tavern, near Fort Herkimer, we overtook our bateaux, all well, and embarked the same evening, stemming fourteen miles against a strong current, with an awning spread over our heads. Each boat was manned by three men, two in the bow, and one in the stern to steer. They occasionally rowed in still water, setting with short poles, at the rapids, with surprising dexterity. In this mode, their average progress is three miles an hour, equal to truckschute travelling in Holland; but it is extremely laborious, and fatiguing to the men. At night we encamped in a log-hut on the margin of the river.

September 8. — A pleasant sail of ten miles this fine morning, brought us to old Fort Schuyler. Here we were joined by Gen. Van Cortlandt and Mr. Bayard, who were waiting for us, which completes our number to thirteen.

From Little Falls thus far, the river is nearly competent to inland navigation, with the exception of a serious rapid, and a great bend at the German-flats, called Wolf-riff, which must be subdued either by a cut across the neck of land, upwards of one mile, or by removing the obstructions.

An Indian road being opened from this place (now Utica,) to the Genesee county, it is probable the position at Fort Stanwix and this spot will become rivals as to the site of a town, in connection with the interior, when it shall become a settled country.

. . . In the afternoon we progressed thirteen miles, meeting many obstructions in consequence of the cruel conduct of the new settlers, (who are wonderfully increased since I was here,) filling the river with fallen trees cut on its margin, narrowing it in many places, producing shoals where the deepest waters had been accustomed to flow, and impeding the progress of our boats. We pitched our camp on the right bank of the river, in the midst of woods. All hands fell to work,

soldierlike. We soon had a roaring fire and our tents pitched — open on one side to the fire and closed at each end with canvas. We found an excellent substitute for feathers — laying our buffaloes on hemlock twigs, although the ground was extremely moist, we were effectually protected from any inconvenience. We enjoyed a pleasant night, with ten times more comfort than we could in the miserable log huts along the banks of the river.

September 9 — At noon we reached Fort Stanwix, to which place with some aid of art the river continues adapted to inland navigation for boats of five tons burthen. Emigrants are swarming into these fertile regions in shoals, like the ancient Israelites, seeking the land of promise.

We transported our boats and baggages across the carrying-place a distance of two miles, over a dead flat, and launched them into Wood Creek, running west. It is a mere brook at this place which a man can easily jump across. In contemplating this important creek, as the only water communication with the immense regions in the west . . . I am deeply impressed with a belief, considering the great resources of this State, that the improvement of our internal navigation cannot much longer escape the decided attention of our law makers, and more especially as it is obviously practicable. . . .

September 10 — This morning, our bateaux began to descend Wood Creek with the aid of a mill-dam which had been filled just above. Some of our party at the same time descended by land on a tolerable wagon-road to Canada Creek, six miles.

Although aided by the sluice, we progressed with infinite difficulty. In many places the windings are so sudden and so short, that while the bow of the boat was ploughing in the bank on one side her stern was rubbing hard against the opposite shore. In some places our men were obliged to drag the boats by main strength, and in others the boughs and limbs were so closely interwoven and so low, as to arch the creek completely over and oblige all hands to lie flat. These obstacles, together with the sunken logs and trees, rendered our progress extremely difficult, often almost impracticable. . . .

Bateaux which ascend the creek, and frequently the descending boats at this season, are dragged by horses travelling in the water. This is a work of incredible fatigue and difficulty. . . .

September 12 — At 3 o'clock we reached the royal block-house, at the east end of the Oneida lake. . . .

September 13 . . . Immediately after breakfast we embarked, doubled

a point of land, and entered the Oneida lake with our sails filled to a light easterly breeze. . . .

This lake is extremely turbulent and dangerous, a small breeze producing a short bobbing sea, in consequence of its shoal waters. . . .

September 14 — Early this morning we embarked and proceeded across the lake, rowing, with a light breeze in our favor. . . . and we found ourselves opposite Fort Brewenton, at the entrance of the Onondaga river, which is a very shallow stream.

We landed near the old fort, where we found two families and a handsome improvement. After refreshing ourselves under the first Christian roof which had sheltered us in five days, we commenced descending the Onondaga river with an easy current. The river is generally about three hundred feet wide. It is nineteen and three quarters of a mile to Three River Point. In this length there are three or four pretty long rapids; but these obstructions can easily be removed, and a boat channel formed. . . .

Here the Onondaga river from the east, and the Seneca from the west, form a junction in majestic silence, without rippling or confusion. Their waters mingle in a spacious confluence, and descend by a N. W. course into Lake Ontario, at Fort Oswego, which is twenty-four miles distant. . . .

September 15 — This morning we . . . re-embarked, ascending the Seneca river against the current coming from the west. . . .

After about eight miles sailing, passing two or three rapids, and low lands heavily timbered, we entered a small narrow river, leading south into the Salt lake, one mile from the Seneca river. . . .

This lake opened most pleasantly before us, six miles in length, N. W. and S. E., and about two wide. . . . We steered by our map and compass, and with some difficulty found the creek on which the salt-works are now erected half a mile from its mouth at the foot of a hill. These works are in a rude, unfinished state, but are capable of making about eight thousand bushels of salt per annum, which is nearly the quantity required for the present consumption of the country. The mines are so affluent and abundant as to be equal to the supply for the United States, even when our population shall reach one hundred millions.

Providence has happily placed this great source of comfort and wealth, precisely in a position accessible by water in every direction.

When the mighty canals shall be formed and locks erected, it will add

vastly to the facility of an extended diffusion, and the increase of its intrinsic worth.

It will enter Ontario, and the other great lakes, and find its way down the St. Lawrence by Oswego, into Pennsylvania, and the Chesapeake, up Seneca river to the head of the Seneca lake, and by a portage (perhaps eventually a canal) of eighteen miles to Newtown, on the Susquehanna river; and through canals in contemplation, up Wood Creek and down the Mohawk river, into the Hudson. . . .

September 16 — One of our people lost all his baggage last night, which we supposed was stolen by some lurking Indians hovering around our camp. . . .

We entered the Seneca river, proceeded west, and encamped near the Cross lake, in a disagreeable camp, having passed several rafts and eel wiers. . . .

September 19 . . . From hence to the Cayuga Lake, six miles, we were much impeded in our progress by a rank weed and the salt marshes, in which we were continually entangled. In the afternoon we reached the opening of the Cayuga Lake . . .

We traversed obliquely across the lake three miles to the ferry-house. Here we pitched our tent for the night, with bad accommodations, surrounded by land pioneers, many of whom were rude and uncouth, both in manners and appearance; but they are a useful race of citizens, calculated to subdue the wilderness and make way for more civilized settlers, rising by gradations. In spite of fleas and bugs, as this was the only civilized roof we had slept under for ten nights, we submitted cheerfully to our fate. . . .

September 20 — We double-manned one of our boats, leaving the other, with the principal part of our baggage and stores, with one of our men, overcome with fatigue, and proceeded on our way to the Seneca Lake. We sailed north three miles, and then entered a narrow river which connects the two lakes. We stemmed against a rapid current, three miles, to the foot of the Seneca Falls. The carrying-place is kept by one Smith, who has a comfortable log-house, and considerable improvements.

This transit extends one mile. We transported our baggage by land, and our men stemmed the rapid with an empty boat in a surprising manner. . . .

We walked two miles by a foot-path to a place called Seawayas, where these rapids commence. Here we re-embarked, and ascended the

Seneca River to the Seneca Lake, which we entered just as the sun was sinking behind the western hills. . . .

The new village of Geneva made its appearance, in the north-west point of the lake, to which we directed our course, after disentangling ourselves from a hard sand-bank at the outlet of the lake.

September 21 — Geneva is a small, unhealthy village, containing about fifteen houses, all log except three, and about twenty families. It is built partly on the acclivity of a hill and partly on a flat, with deep marshes north of the town, to which is attributed its unhealthiness. We received decent accommodations at Patterson's on the margin of the lake, but were troubled the most of the night by gamblers and fleas, two curses to society.

At nine o'clock this fine morning we re-embarked, and traversed obliquely across the lake to Appletown, eleven miles. . . .

September 24 — Having rejoined our party at the ferry, we dispatched one of our boats to Schenectady, and proceeded with the other up Cayuga Lake. . . .

. . . Having devoted my ardent and deep attention to the important subject, the practicability of opening an uninterrupted water communication from these interesting lakes, as branches of the mighty chain of connected oceans descending by canals and locks to the Hudson River, I shall now sum up detailed views and estimates, from that river to the Seneca Lake.

To open a water communication from the Hudson to the Seneca Lake, the following works are indispensable, viz: —

First. A canal to connect the Mohawk with the Hudson in the nearest direction from river to river, or a canal with locks, on the north of the Cohoes, to come out at Waterford, will probably cost £ ——.

Second. The Mohawk to be cleared of some rocks, and the riffs deepened to the Little Falls.

Third. A canal of one mile at the Little Falls, either cut in the solid rock, or by embankments, and four or five locks, the descent being estimated by the eye and from information at forty two feet.

Fourth. Obstructions to be removed to Fort Stanwix, and some rapids laid open.

Fifth. Wood Creek to be improved by removing numerous natural or artificial obstructions; and cutting through the necks, it may be shortened, probably one-half from Canada Creek, eighteen miles, as the river meanders.

Lastly. To open the riffs and rapids in the Onondaga and Seneca

rivers, with canals and locks at the Seneca Falls, to open communication with the Seneca Lake.

A canal and locks to the Oswego Falls from Three-River Point, will accomplish the grand desideratum — the sublime plan of opening an uninterrupted water communication from the Hudson, to Lake Ontario, and from [to?] a thousand miles of shore fairly within the limits of this State. . . .

Elkanah Watson, *Men and Times of the Revolution* (edited by W. C. Watson, New York, 1856), 292–311 *passim*.

22. Industries of the United States (1793)

BY TENCH COXE

Coxe was a political economist, assistant secretary of the treasury, and commissioner of revenues. He labored manfully in behalf of American manufactures and wrote largely on commercial subjects. — Bibliography as in No. 20 above.

THERE is no land tax among the national revenues, nor is there any interior tax, or excise upon food, drink, fuel, lights, or any native or foreign manufacture, or native or foreign production, except a duty of about four pence sterling upon domestic distilled spirits. The greatest part of the public burdens are paid by an import duty on foreign goods, which being drawn back on exportation, it remains only on what is actually consumed. It is in that view the lowest in the world, and operates greatly in favour of American manufactures.

Trade has been encouraged by a drawback of all the import duty on foreign goods, when they are exported, excepting only a very few commodities of a particular nature, which are not desired to be much imported into, or consumed in the United States. . . .

The banks established in the several cities of Philadelphia, New-York, Boston, Baltimore, Charleston, Alexandria, &c. divide a profit of seven and an half to eight and an half per cent. per annum at present, which is paid half yearly. . . .

The shipbuilding of the Uu[n]ited States was greater in the year 1792, than in any former year since the settlement of the country, and it is much greater in the current year, than it was in the last. Generally speaking, the art of shipbuilding was never so well understood, never so well executed, nor was there ever a time when so many of the manufac-

tures requisite for the furniture, tackle, apparel and arming of vessels were made in the United States.

The value of the manufactures of the United States is certainly greater than double the value of their exports in native commodities.

The value of the manufactures of the United States, is much greater than the gross value of all their imports, including the value of goods exported again.

The manufactures of the United States consist generally of articles of comfort, utility, and necessity. Articles of luxury, elegance, and shew are not manufactured in America, excepting a few kinds.

The manufactures of the United States have increased very rapidly since the commencement of the revolutionary war, and particularly in the last five years.

Household manufactures are carried on within the families of almost all the farmers and planters, and of a great proportion of the inhabitants of the villages and towns. This practice is increasing under the animating influences of private interest and public spirit.

The exports of the United States have increased in the last two years about fourteen per cent.

Those exports consist in a great degree of the most necessary food of man and working animals, and of raw materials, applicable to manufactures of the most general utility and consumption.

There is not any duty upon the exportation of the produce of the earth, nor can such duty be imposed on any exported commodities: the exportation of produce may be suspended or prohibited.

Produce and all other merchandize may be freely exported in the ships and vessels of all nations (not being alien enemies) without discrimination.

The exports of the United States are five times the amount of the national taxes and duties.

The amount of the outward freight of the ships and vessels of the United States, at this time, is probably equal to all their national taxes and duties. The inward freight is considerable. The earning[s] of the fishing vessels, in lieu of freight, are also considerable. The coasting freights are greater in value than both the last.

All ships and vessels depart from the United States, fully laden, excepting a part of the East India traders.

A large quantity of tonnage is employed in the coasting trade.

A considerable quantity of tonnage is employed in the cod and whale fisheries.

The imports of the United States are less in value than the exports, deducting the outward freights of their own ships (which are returned in goods) the nett sales of their ships to foreigners, the property imported by migrators from foreign countries, and the public impost.

The very great proportion of the imports, which consists of manufactures, (and from raw materials, which America can produce) affords constant and inviting opportunities to lessen the balance against the United States, in their trade with one foreign country, holds out a certain home market to skilful and industrious manufacturers in America, and gives promises to the landholder and farmer, of a very increasing demand for their produce, in which they cannot be deceived.

The imports of the United States, for consumption, have not been swelled in proportion to the increase of their population and wealth. *The reason is, the constant introduction of new branches of manufacture, and the great extension of the old branches.*

The imports, for consumption, into the United States are composed of manufactures in a much less proportion than heretofore, owing to *the same two causes.*

The imports of the United States have almost ceased to exhibit certain articles of naval and military supply, and others of the greatest utility and consumption, owing also to *the same two causes.*

The imports of the United States, consist in a small degree of necessaries, in a great degree of articles of comfortable accommodation, and in some degree of luxuries: but the exports consist chiefly of prime necessaries, with some articles of mere comfort and utility, and some of luxury. The following will be found to be the quantities of some of the principal articles of exportation from the United States, during the year, ending in September, 1792.

3,145,255 bushels of grain and pulse (principally wheat, Indian corn, rye, beans and peas [)].

44,752 horses, horned cattle, mules, hogs and sheep.

1,469,723 barrels of flour, meal, biscuit, and rice, reducing casks of various sizes, to the proportion of flour barrels.

146,909 barrels of tar, pitch, turpentine and rosin.

116,803 barrels of beef, pork, mutton, sausages, oysters, tripe, &c. reducing casks of various sizes, to the proportion of beef and pork barrels.

231,776 barrels of dried and pickled fish, reducing them to barrels of the same size.

948,115 gallons of spirits, distilled in the United States.
7,823 tons, 12 cwts. and 14 lbs. of pot-ashes and pearl-ashes.
112,428 hogsheads of tobacco.
60,646,861 feet of boards plank, and scantling.
19,391½ tons of timber.
18,374 pieces of timber.
1,080 cedar and oak ship knees.
71,693,863 shingles.
31,760,702 staves and hoops.
191 frames of houses.
73,318 oars, rafters for oars, and handspikes.
48,860 shook or knock-down casks.
52,382 hogsheads of flax seed.

The imports of the United States are now generally brought directly (and not circuitiously) from the countries which produced or manufactured them — China, India proper, the isles of Bourbon and Mauritius, Good Hope, the southern settlements of America and the West-Indies, the Wine islands, the countries on the Mediteranean and Baltic Seas, Great-Britain and Ireland, France, the Netherlands and Germany, Spain and Portugal.

Less than half the ships and vessels belonging to the United States, are sufficient to transport all the commodities they consume or import.

Their citizens may be lawfully concerned in any branch of foreign trade, whether carried on from the United States or from any other country.

Their commerce is diversified and prosperous, and consists in importing for their own consumption, and for exportation; in the exporting, the coasting and inland trades; the Indian trade; manufactures, shipping, the fisheries, banking, and insurances on ships, cargoes, and houses. There is no branch of commerce foreign or domestic, in which every district, city, port, and individual, is not equally entitled to be interested.

The lawful interest of money is six per cent. per annum in most of the states: in a few it is seven per cent. in one it is five per cent.

The commanders and other officers of the American ships are deemed skilful and judicious; from which cause, combined with the goodness of their ships and of their equipment, insurances upon their vessels are generally made in Europe, upon the most favourable terms, compared with the corresponding risques on board of the vessels of other nations.

The separate American states (with one small exception) have abol-

ished the slave trade, and they have in some instances abolished negro slavery; in others they have adopted efficacious measures for its certain but gradual abolition. The importation of slaves is discontinued, and can never be renewed so as to interrupt the repose of Africa, or endanger the tranquility of the United States. The steady use of efficacious *alter[n]atives* is deemed preferable to the immediate application of more strong remedies in a case of so much momentary and intrinsic importance. . . .

. . . *All capital stock is kept in action.* There are no *descriptions* of men in America and very few individuals, at the active times of life, who live without some pursuit of business, profession, occupation, or trade. *All the citizens are in active habits.* . . .

A large proportion of the most successful manufacturers in the United States are persons, who were journeymen, and in a few instances were foremen in the work-shops and manufactories of Europe, who having been skilfull, sober and frugal, and having thus saved a little money, have set up for themselves with great advantage in America. Few have failed to succeed. . . .

Tench Coxe, *A View of the United States of America* (Philadelphia, 1794), 429–443 *passim*.

23. Economic Advantages of the United States (1795)

BY REVEREND WILLIAM WINTERBOTHAM

Winterbotham, an English clergyman, compiled his monumental work while he was in prison for "seditious words." He called himself an editor, saying that he had used the thoughts and often the words of the most prominent writers on America. The work was undertaken because of the great expense involved in obtaining any adequate knowledge of the rising empire, and is a summary of the opinions of a well-informed foreigner. — Bibliography: John Macgregor, *The Progress of America*, II; *Eighty Years' Progress of the United States;* Channing and Hart, *Guide*, § 148. — Very general bibliography: Benjamin Rand, *Bibliography of Economics;* Bowker and Iles, *The Reader's Guide in Economic, Social, and Political Science;* Brookings and Ringwalt, *Briefs for Debate.*

THE United States possess . . . an advantage over most of the European kingdoms, for they are not only subject to the gradations from almost extreme heat to extreme cold, but seem capable of supplying almost all the productions of the earth. . . .

. . . we find even in the present half-tried state of the capacities of

the different soils and climates, a list of invaluable productions, some found by the first discoverers of the country, others introduced by mere accident, and others transported from Europe, during the simple state of agriculture in the last century. In the southern latitudes, particularly the States of Georgia, South-Carolina, and North-Carolina, rice, much superior to that of Italy or the Levant, is raised in very great quantities. . . . It is expected that Virginia will add this article to her list of exports, as it is supposed a large body of swamp in her most eastern counties is capable of producing it; and mountain rice has been raised by way of experiment in the new country near the head of the Ohio.

Tobacco is a staple article of all the States, from Georgia as far north as Maryland, including both. . . . The soil of Kentucky and the Cumberland and Tennessee country seems also to be eminently calculated for the culture of this plant.

Indigo, of an excellent quality, is produced by North-Carolina, South-Carolina, and Georgia. . . .

Cotton has been lately adopted as an article of culture in the southern States; and as the prices of rice, tobacco, and indigo decline, it must be very beneficial to the owners and purchasers of lands in that part of the Union. . . . As the inhabitants increase very rapidly by emigration and the course of nature, it is certain they cannot procure wool from their own internal resources in sufficient quantities. The owners of cotton plantations may therefore expect a constant and great demand for this article, as a substitute for wool, besides its ordinary uses for light goods.

Tar, pitch, and turpentine are produced in immense quantities in North-Carolina, which State ships more of these articles, particularly the last, than all the rest of the Union. Tar and pitch are also produced in the southern parts of Jersey, and more or less in all the States southward of that. . . .

The wheat country of the United States lies in Virginia, Maryland, Delaware, Pennsylvania, New-Jersey, and New-York, and the western-most parts of Connecticut, as also the western parts of the two Carolinas, and probably of Georgia, for their own use. The character of the American flour is so well known, that it is unnecessary to say any thing in commendation of it here. . . . In the wheat States are also produced great quantities of Indian corn or maize. . . .

Hemp and flax are raised in very large quantities throughout the United States. And though South-Carolina and Georgia produce less

than any other States of these two articles, they are capable of raising immense quantities. Georgia, from the advantage she has in the river Savannah, could produce hemp with the greatest profit. Large portions of the new lands of all the States are well suited to hemp and flax.

Though sheep are bred in all parts of America, yet the most populous parts of the middle States, and the eastern States which have been long settled, and particularly the latter, are the places where they thrive best. In the four eastern or New-England States, they form one of the greatest objects of the farmer's attention, and one of his surest sources of profit. The demand for wool, which has of late increased exceedingly with the growth of manufactures, will add considerably to the former handsome profits of sheep; and the consumption of meat by the manufacturers will render them still more beneficial.

Horned or neat cattle are also bred in every part of the United States. In the western counties of Virginia, the Carolinas, and Georgia, where they have an extensive range, and mild winters without snows of any duration, they run at large, and multiply very fast. In the middle States, cattle require more of the care and attention they usually receive in Europe, and they are generally good, often very fine. But in the eastern States, whose principal objects on the land have until lately been pasturage and grazing, cattle are very numerous indeed, and universally fine; cheese is, of course, most abundant in those States. No European country can excel the United States in the valuable article of salt provisions. Their exports of this kind are every day increasing; as the raising of cattle is peculiarly profitable to farmers, the greater part of whom have more land than they can cultivate even with the plough. Barley and oats are the productions of every State, though least cultivated to the southward. Virginia, however, is turning her attention to barley, as also Maryland, and can raise great quantities.

Masts, spars, staves, heading, boards, plank, scantling, and square timber, are found in almost all the States: but New-Hampshire, and the adjoining province of Maine, which is connected with Massachusetts, are the two most plentiful scenes: the stock there seems almost inexhaustible. In New-York they abound; and in North-Carolina and Georgia, the pitch-pine plank, and scantling, and oak staves, are excellent, especially in the former. . . .

Pot and pearl ashes, have become very valuable articles to the landholders and merchants of the United States; but their importance was unknown twenty years ago. . . . New-England and New-York have

derived great advantage from their attention to pot and pearl ashes; but it has hitherto been made in very inconsiderable quantities in the States to the southward of them: in most of them it has been entirely overlooked. . . .

A grand dependence of the eastern States is their valuable fisheries: a detail of these is unnecessary. It is sufficient to say, that with a small exception in favour of New-York, the whole great sea fishery of the United States is carried on by New-England; and it is in a variety of ways highly beneficial to their landed and manufacturing interests.

Iron is abundant throughout the Union, excepting New-England and the Delaware State, though the former are not destitute of it, and the latter can draw it as conveniently from the other States on the Delaware river, as if it were in her own bowels. Virginia is the State most pregnant with minerals and fossils of any in the Union.

Deer skins and a variety of furs are obtained by all the States from the Indian country, either directly or through the medium of their neighbours. Hitherto they have been exported in large quantities; but from the rapid progress of American manufactures, that exportation must diminish.

The article of pork, so important in navigation and trade, merits particular notice. The plenty of mast or nuts of the oak and beech, in some places, and of Indian corn every where, occasions it to be very fine and abundant. Two names among them are pre-eminent, Burlington and Connecticut; the first of which is generally given to the pork of Pennsylvania, and the middle and northern parts of Jersey; the second is the quality of all the pork north of Jersey. It may be safely affirmed, that they are fully equal to the pork of Ireland and Britany, and much cheaper.

Cider can be produced with ease in considerable quantities, from Virginia inclusive, to the most northern States, as also in the western country of the Carolinas and Georgia; but New-Jersey and New-England have hitherto paid most attention to this drink. An exquisite brandy is distilled from the extensive peach orchards, which grow upon the numerous rivers of the Chesapeak, and in parts of Pennsylvania, and may be made in the greater part of the country.

Silk has been attempted with success in the southernmost States, so far as due attention was paid to it; but is not well suited to the nature of their labourers, who, being blacks, are not careful or skilful; and there

are many other objects of more importance and profit in the agriculture of those fertile States. . . .

Rye is produced generally through all the States north of the Carolinas, and in the western parts of the three southern States. But the detail of American productions, and the parts in which they most abound, would be very long. It will therefore be sufficient to say, that in addition to the above capital articles, the United States produce or contain, flax-seed, spelts, lime-stone, alum, saltpetre, lead, copper, coal, free-stone, marble, stone for wares, potters' clay, brick clay, a variety of ship-timber, shingles, holly, beech, poplar, curled maple, black walnut, wild cherry, and other woods suitable for cabinet-makers, shingles of cedar and cypress, myrtle-wax, bees-wax, butter, tallow, hides, leather, tanners' bark, maple sugar, hops, mustard seed, potatoes, and all the other principal vegetables; apples, and all the other principal fruits; clover, and all the other principal grasses. On the subject of their productions it is only necessary to add, that they must be numerous, diversified, and extremely valuable, as the various parts of their country lie in the same latitude as Spain, Portugal, the middle and southern provinces of France, the fertile island of Sicily, and the greater part of Italy, European and Asiatic Turkey, and the kingdom of China, which maintains by its own agriculture more people than any co[u]ntry in the world beside. . . .

Connected with this, we may mention another advantage which the States possess; this is the ease with which the produce of one State may be conveyed, by water, to another, with a very trivial addition of expense. There is in this respect a striking difference between the navigable waters of the United States and those of any country in the old world. The Elbe is the only river in Europe which will permit a sea vessel to sail up it for so great a length as seventy miles. The Hudson's, or North river, between the States of New-York and New-Jersey, is navigated by sea vessels one hundred and eighty miles from the ocean; the Delaware, between Pennyslvania, New-Jersey, and the Delaware State, one hundred and sixty miles; the Potomack, between Virginia and Maryland, three hundred miles; and there are several other rivers, bays, and sounds, of extensive navigation, far exceeding the great river Elbe. The inland boatable waters and lakes are equally numerous and great.

When we consider these, and extend our ideas to the different canals already formed, and still forming, by which the most important rivers are, or will be united, we may venture to assert, that no country in

Europe does, or possibly can possess so completely the advantages of inland navigation; by this the extremes of the confederacy will become intimately united and acquainted with each other, and each State will reap from the produce of the whole nearly the same advantage as though it possessed every resource within itself; indeed, no doubt can by a reflecting mind be entertained, but that the time is near when a communication by water will be opened with every part of the Union.

W[illiam] Winterbotham, *An Historical, Geographical, Commercial, and Philosophical View of the American United States* (London, 1795), III, 287–293 *passim*.

24. Cotton Culture (1802)

BY DOCTOR FRANÇOIS ANDRÉ MICHAUX

(TRANSLATED BY B. LAMBERT, 1805)

Michaux, following in his father's footsteps, was sent by the French government to study the forests of America. He was a recognized authority in botany, and a personal friend of Jefferson. — Bibliography: M. B. Hammond, *The Cotton Industry*, I, Appendix II.

THE two Carolinas and Georgia are divided naturally into the upper and lower country: but the upper country embraces the greatest extent. . . .

The low price to which tobacco has for some years fallen in Europe, has occasioned the culture of it to be abandoned in these countries. That of the *Green-seed Cotton* has replaced it, very advantageously for the inhabitants, a great number of whom are already enriched by it. The separation of the seeds from the husks which enclose them, a tedious operation, which requires much manual labour, has been lately simplified by a machine, for which the inventor has obtained a patent from the American government. The legislature of South Carolina, have, for three years, paid him a sum of fifty thousand piasters, for permitting all the inhabitants of that state to construct them. This very simple machine, the price of which does not exceed sixty piasters, is worked by a horse or current of water, and cleanses three or four hundred pounds of cotton in a day, while, by the common process, a man cannot pick more than twenty-five or thirty pounds. It is true that this machine has the inconvenience of cutting the wool already too short in this species of cotton, which, for that reason, is of an inferior qual-

ity to any other kind met with in commerce; but this is said to be compensated by the saving of time, and, more especially, of manual labour. . . .

The low country, in the two Carolinas and Georgia, extends from a hundred and twenty-five to a hundred and fifty miles from the sea-side, growing broader towards the south. . . .

. . . The culture of rice, in the southern and maritime parts of the United States, has diminished very much within a few years: it has been, in a great degree, replaced by that of cotton, which yields greater profit to the planters; for they calculate that one good crop of cotton is equivalent to two of rice. Hence it has resulted that a great number of rice fields have been converted into cotton fields, guarding, as much as possible, against the entry of the water.

The soil most proper for the growth of cotton is found in the islands lying on the coast. Those belonging to the state of Georgia produce that which is most esteemed, and known, in commerce, in France, by the name of the *Coton de Géorgie, Laine fine*; and in England by that of *Sea-Island Cotton*. This variety of cotton has a deep black seed, and very long fine wool. In February 1803, it sold at Charlestown for one-and-twenty pence a pound, while that which had grown in the high country was not worth more than eight pence half-penny, or nine pence. The first is almost wholly exported to England, and the second goes to France: but it is very remarkable, that when, from any cause, both these qualities are imported into our ports, the difference in the price does not exceed twelve or fifteen per cent.

The planters of cotton are particularly apprehensive of the cold, which sets in early, and very frequently makes them lose part of their crops, by freezing half the stems of the plant, many of the capsules of which have not reached the degree of maturity necessary for opening them. . . .

In all the lower country the labours of the field are performed by negroes; and most of the planters employ them even in those which might be done with the plough. They think that the land is better cultivated, and they also calculate that, in the course of the year, the expense of feeding and keeping a horse would be ten times as much as that of a negro, which does not exceed fifteen or sixteen piasters annually.

F. A. Michaux, *Travels to the Westward of the Allegany Mountains* (London, 1805), 331–348 *passim*.

CHAPTER IV — POLITICAL CONDITIONS, 1780–1790

25. Politics in Pennsylvania (1779–1785)

BY ALEXANDER GRAYDON (1811)

Graydon was a soldier in the Revolution and afterwards for many years a prothonotary in Pennsylvania. His reminiscences were written late in life and hence cannot be accepted as evidence for details. — For Graydon, see Duyckinck, *Cyclopædia of American Literature*, I, 352–353; *Contemporaries*, II, No. 170. — Bibliography: Channing and Hart, *Guide*, § 160. — For an earlier account of Pennsylvania politics, see *Contemporaries*, II, No. 31.

PARTY spirit, in Pennsylvania, had by this time [1779], taken a consistency, and the politicians were divided into *Constitutionalists* and *Republicans*. The first rallied round the constitution already formed, which was reprobated by the others, for its total deficiency in checks and counterbalancing powers, thence tending, as it was alledged, to rash, precipitate, and oppressive proceedings. The term republicans was embraced, as recognizing the principles of the revolution, and as indicative perhaps of tenets, which admitted the utility of modifications and restraints, in a system resting on the broad base of general suffrage and popular sovereignty. The word *democrat* was not yet much in use, neither was the distinction established between a democrat and a republican, which appears to consist in the idea, that the former is for placing the whole governing power in the "multitude told by the head;" the latter, for giving it some checks, and infusing into it, a leaven of what is termed by Mr. Burke, the natural aristocracy of a country. But to do this, where the source of power has been diligently explored and discovered too, like that of the Nile, and universal suffrage with the right to pull down and build up again, thence recognized as a fundamental, may well puzzle the learned advocates for strong executives, and independent judiciaries, and in the end, perhaps, turn all their fine-spun theories into lumber, little better than nonsense. However, like the rest of my countrymen,

with sad civility, I read,
With honest anguish and an aching head.

To counteract the constitutionalists, the disaffected to the revolution, were invited to fall into the republican ranks; and there was an agreement, or at least an understanding, among the lawyers, who were generally on the republican side, neither to practice or accept of any office under the constitution, which, in that case, they would be bound, by an oath, to support. But the constitutionalists had a Roland for their Oliver. They had prothonotaryships, attorney-generalships, chief justiceships, and what not to dispose of. Patriots have their price, 'tis said; and persons were found to accept of these, some of whom, indeed, had cautiously avoided committing themselves by the promulgation of rash anathemas. All, however, were not so fortunate, if fame is to be believed; and although the fruit was to them forbidden, they were tempted, and did eat. But in this age of thrift and self-aggrandisement, I am not going to impute it to them as a crime. Who would now reject the means of bettering his condition, through the childish fear of being charged with a dereliction of principle? It is not of such imbecility that the world is now "the friend, or the world's law." Buonaparte would never have made himself a consul, much less an emperor, by such squeamishness.

Soon after the organization of the Republican society, it was proposed to me by my friend major Scull, then in Philadelphia, to join it; but after the recent agitations of the greater contest with the mother country, I felt no inclination to disturb myself with domestic broils. My eyes, indeed, were open to the illiberality of the constitutionalists, and the extreme jealousy, they already manifested against those who had been in the army; but on the other hand, so far as I can recal my feelings, I did not fully relish the policy of courting the disaffected and those who had played a safe and calculating game. But they were rewarded for it: pelf, it appeared, was a better goal than liberty; and at no period in my recollection, was the worship of Mammon more widely spread, more sordid and disgusting. Those who had fought the battles of the country, at least in the humbler grades, had as yet earned nothing but poverty and contempt; while their wiser fellow citizens who had attended to their interests, were the men of mark and consideration. As to military rank, no man seemed to be without it, who had an inclination for it; and the title of major was the very lowest, that a dasher of any figure, would accept of. Nothing more was wanting for its attainment, than to clap on a uniform and pair of epaulets, and scamper about with some militia general for a day or two: And thus, the real soldier was superseded, even

in the career of glory. Never having been good at a scramble, as already observed, whether honor or profit were the meed, I did not press into the field of pretension; and being in a state of apathy as to the political parties, I declined enlisting with either. . . .

Among a number of newly introduced maxims of republicanism, it was an highly favored one in Pennsylvania, to bring justice home to every man's door. In the spirit of this principle, several new counties had been erected; and in the year of 1785, I had the good fortune, through the warm exertions of an influential friend, to obtain an appointment to the prothonotaryship of the county of Dauphin. By a combination of small circumstances working together for my advantage, I obtained, contrary to expectation, the suffrage of the supreme executive council, of which Mr. Dickinson was then president. The republican party possessed a majority in the council; and colonel Atlee, who belonged to it, was designated for the office. He was conspicuous as a party-man, and, if I mistake not, at the time, a member of the legislature; and on the score of services and character, no one had better claims. But upon this occasion, the negative character of my politics, contrary to the usual course of things, probably gave me the advantage. To keep out Atlee, the constitutionalists were disposed to give their votes to any one of his competitors. Of course, I had all their strength; and by adding to it two or three republican votes, I acquired a greater number than any in nomination. As the mode was to vote for the candidates individually, there was no physical, or perhaps moral impediment, to each of them receiving the vote of every member. A promise to one, was not broken, by voting also for another, unless it was exclusively made. The president had, probably, given a promise to colonel Atlee as well as to myself; and considering me, perhaps, as too weak to endanger his success, thought he might safely gratify my friend, who pinned him to the vote, which, on coming to the box, he seemed half inclined to withhold. Or, where was his crime, if he really thought our pretensions equal, and therefore determined not to decide between us? Such were the accidents which procured my unlooked for appointment.

Mr. Dickinson, for his want of decision, as it was called, was bitterly inveighed against by his party; and the next day at the coffee house, when receiving the congr[a]tulations of some of my acquaintance, Mr Michael Morgan O'Brien, who chanced to be present, and to whom I was then introduced, asserted it as a fact, that the president had suffered his hand to be seized and crammed into the box with a ticket for me;

"but no matter," said he, "you are a clever fellow, I am told and I am glad that you have got the office." . . .

[Alexander Graydon], *Memoirs of a Life, chiefly passed in Pennsylvania* (Harrisburg, 1811), 306–310 *passim*.

26. The United States as a World Power (1780)

BY THOMAS POWNALL

Pownall attended the Albany Congress in 1754, was governor of Massachusetts from 1757 to 1760, and a member of Parliament from 1763 to 1781. He had an instinctive grasp of American political tendencies, and was a firm supporter of the rights of the colonies. — For Pownall, see *Contemporaries*, II, No. 53. — Bibliography: Channing and Hart, *Guide*, §§ 133, 147, 148.

NORTH-AMERICA is become a new *primary planet* in the system of the world, which while it takes its own course, in its own orbit, must have effect on the orbit of every other planet, and shift the common center of gravity of the whole system of the European world.

North-America is *de facto* AN INDEPENDENT POWER *which has taken its equal station with other powers*, and must be so *de jure*. The politicians of the Governments of Europe may reason or negociate upon this idea, as a matter *sub lite*. The powers of those Governments may fight about it as a new Power coming into establishment; such negociations, and such wars, are of no consequence either to the right or the fact. It would be just as wise, and just as effectual, if they were to go to war to decide, or set on foot negociations to settle, to whom for the future the sovereignty of the moon should belong. The moon hath been long common to them all, and they may all in their turns profit of her reflected light. The independence of America is fixed as fate; she is mistress of her own fortune; — knows that she is so, and will actuate that power which she feels she hath, so as to establish her own system, and to change the system of Europe. . . .

If the Powers of Europe will view the state of things *as they do really exist*, and will treat them *as being what they are*, the lives of thousands may be spared; the happiness of millions may be secured; and, the peace of the whole world preserved. If they will not, they will be plunged into a sea of troubles, a sea of blood, fathomless and boundless. The war that has begun to rage betwixt Britain, France, and Spain, which is almost gorged betwixt Britain and America, will extend itself

to all the maritime, and most likely, afterwards, to all the inland powers of Europe: and like the *thirty years war* of the sixteenth and seventeenth centuries, will not end, but as that did, by a new and general resettlement of powers and interests, according to the new spirit of the new system which hath taken place. . . .

There is no where in the European part of the old world such a greatness of interwoven and combined interest, communicating through such largeness of territory, as that in North America, possessed and actuated by the English nation. The northern and southern parts of Europe, are possessed by different nations, actuated by different spirits, and conducted under very different systems. . . .

On the contrary, when the scite and circumstances of the large extended territories of North America are examined; one finds every thing united in it which forms greatness of dominions, *amplitude and growth of state.*

The nature of the coast and of the winds upon that coast, is such as renders marine navigation, from one end of its extent to the other, a perpetually moving intercourse of communion: and the nature of the rivers which open (where marine navigation ends) an inland navigation which, with short interruptions, carries on a circulation throughout the whole, renders such inland navigation but a further process of that communion; all which becomes, as it were, a one vital principle of life, extended through a one organized being. . . .

Whether the islands, in those parts called the West Indies, are naturally parts of this North American Communion, is a question, in the detail of it, of curious speculation, but of no doubt as to the fact. . . .

. . . The civilizing activity of the human race, is what forms the growth of state. . . .

In this new world we see all the inhabitants not only free, but allowing an universal naturalization to all who wish to be so; and an uncontrouled liberty of using any mode of life they choose, or any means of getting a livelihood that their talents lead them to. Free of all restraints, which take the property of themselves out of their own hands, their souls are their own, and their reason; they are their own masters, and they act; their labour is employed on their own property, and what they produce is their own. In a country like this, where every man has the full and free exertion of his powers, where every man may acquire any share of the good things thereof, or of interest and power which his spirit can work him up to; there, an unabated application of the powers

of individuals, and a perpetual struggle of their spirits, sharpens their wits, and gives constant training to the mind. The acquirement of information in things and business, which becomes necessary to this mode of life, gives the mind, thus sharpened, and thus exercised, a turn of inquiry and investigation which forms a *character peculiar to these people*, which is not to be met with, nor ever did exist in any other to the same degree, unless in some of the ancient republics, where the people were under the same predicament. This turn of character, which, in the ordinary occurrences of life, is called *inquisitiveness*, and which, when exerted about trifles, goes even to a degree of ridicule in many instances; is yet, in matters of business and commerce, a most useful and efficient talent. . . .

. . . In America, the wisdom and not the man is attended to; and *America is peculiarly a poor man's country*. . . . They find themselves at liberty to follow what mode they like; they feel that they can venture to try experiments, and that the advantages of their discoveries are their own. They, therefore, try what the soil claims, what the climate permits, and what both will produce and sustain to the greatest advantage. . . .

Although the civilizing activity of America does not, by artificial and false helps, contrary to the natural course of things, inconsistent with, and checking the first applications of, its natural labour, and before the community is ripe for such endeavour, attempt to force the establishment of manufactures: yet following, as Use and Experience lead, the natural progress of improvement, it is every year producing a surplus profit; which surplus, as it enters again into the circulation of productive employment, creates an accumulating accelerated progressive series of surpluses. *With these accumulated surpluses* of the produce of the earth and seas, *and not with manufactures*, the Americans carry on their *commercial* exertions. Their fish, wheat, flour, rice, tobacco, indigo, live stock, barrel pork and beef (some of these articles being peculiar to the country and staple commodities) form the exports of their commerce. This has given them a direct trade to Europe; and, with some additional articles, a circuitous trade to Africa and the West Indies.

The same ingenuity of mechanic handicraft, which arises concomitant with agriculture, doth here also rise concomitant with commerce, and is exerted in SHIP-BUILDING: it is carried on, not only to serve all the purposes of their own carriage, and that of the West Indies in part, but to an extent of sale, so as to supply great part of the shipping of Britain;

and further, if it continues to advance with the same progress, it will supply great part of the trade of Europe also with shipping, at chea[p]er rates than they can any where, or by any means, supply themselves.

Thus their commerce, although subsisting (while they were subordinate provinces) under various restrictions, by its advancing progress in *ship-building*, hath been striking deep root, and is now shot forth an *active commerce*, growing into *amplitude of state* and great power. . . .

I will here, therefore, from this comparison of the spirit of civilizing activity in the old and in the new world, as one sees it in its application to agriculture, handicrafts, and mechanics, and finally in an active commerce, spatiating on an amplitude of base, the natural communion of a great country, and rising in a natural progression, venture to assert, that in this point, NORTH AMERICA HAS ADVANCED, AND IS EVERY DAY ADVANCING, TO GROWTH OF STATE, WITH A STEADY AND CONTINUALLY ACCELERATING MOTION, OF WHICH THERE HAS NEVER YET BEEN ANY EXAMPLE IN EUROPE.

But farther; when one looks to the progressive POPULATION which this fostering happiness doth, of course, produce, one cannot but see, in North America, that God's first blessing, "*Be fruitful and multiply; replenish the earth and subdue it*," hath operated in full manifestation of his will. . . .

This might have been, indeed, the spirit of the British Empire, America being a part of it: *This is the spirit* of the government of the new Empire of America, Great Britain being no part of it. It is a Vitality, liable, indeed, to many disorders, many dangerous diseases; but it is young and strong, and will struggle, by the vigour of internal healing principles of life, against those evils, and surmount them; like the infant Hercules, it will strangle these serpents in its cradle. Its strength will grow with its years, and it will establish its constitution, and perfect adultness in growth of state.

To this greatness of empire it will certainly arise. That it is removed three thousand miles distant from its enemy; that it lies on another side of the globe where it has no enemy; that it is earth-born, and like a giant ready to run its course, are not alone the grounds and reasons on which a speculatist may pronounce this. The fostering care with which the rival Powers of Europe will nurse it, ensures its establishment beyond all doubt or danger.

[Thomas Pownall], *A Memorial, most humbly addressed to the Sovereigns of Europe, on the Present State of Affairs, between the Old and New World* (second edition, London, 1780), 4–69 *passim*.

27. A Satire on Town-Meeting (1782)

BY JOHN TRUMBULL

Trumbull, a Connecticut jurist, was the most conspicuous literary character of his day, and his mock-heroic poem, *M'Fingal*, enjoyed an immense popularity. — For Trumbull, see Tyler, *Literary History of the Revolution*, I, 187–221, 427–450. — For town-meetings, see *Contemporaries*, II, No. 78.

THUS stor'd with intellectual riches,
Skill'd was our 'Squire in making speeches,
Where strength of brains united centers
With strength of lungs surpassing Stentor's.
But as some musquets so contrive it,
As oft to miss the mark they drive at,
And tho' well aim'd at duck or plover,
Bear wide and kick their owners over:
So far'd our 'Squire, whose reas'ning toil
Would often on himself recoil,
And so much injur'd more his side,
The stronger arg'ments he applied:
As old war-elephants dismay'd,
Trode down the troops they came to aid,
And hurt their own side more in battle
Than less and ordinary cattle.
Yet at town-meetings ev'ry chief
Pinn'd faith on great M'Fingal's sleeve,
And as he motion'd, all by rote
Rais'd sympathetic hands to vote.

The town, our Hero's scene of action,
Had long been torn by feuds of faction,
And as each party's strength prevails,
It turn'd up diff'rent, heads or tails;
With constant rattl'ing in a trice
Show'd various sides as oft as dice:
As that fam'd weaver, wife t' Ulysses,
By night each day's-work pick'd in pieces,
And tho' she stoutly did bestir her,
Its finishing was ne'er the nearer:
So did this town with stedfast zeal

Weave cob-webs for the public weal,
Which when compleated, or before,
A second vote in pieces tore.
They met, made speeches full long winded,
Resolv'd, protested, and rescinded;
Addresses sign'd, then chose Committees,
To stop all drinking of Bohea-teas;
With winds of doctrine veer'd about,
And turn'd all Whig-Committees out.
Meanwhile our Hero, as their head,
In pomp the tory faction led,
Still following, as the 'Squire should please,
Successive on, like files of geese.
And now the town was summon'd greeting,
To grand parading of town-meeting;
A show, that strangers might appall,
As Rome's grave senate did the Gaul.
High o'er the rout, on pulpit-stairs,
Like den of thieves in house of pray'rs,
(That house, which loth a rule to break,
Serv'd heav'n but one day in the week,
Open the rest for all supplies
Of news and politics and lies)
Stood forth the constable, and bore
His staff, like Merc'ry's wand of yore,
Wav'd potent round, the peace to keep,
As that laid dead men's souls to sleep.
Above and near th' hermetic staff,
The moderator's upper half,
In grandeur o'er the cushion bow'd,
Like Sol half-seen behind a cloud.
Beneath stood voters of all colours,
Whigs, tories, orators and bawlers,
With ev'ry tongue in either faction,
Prepared, like minute-men, for action;
Where truth and falshood, wrong and right,
Draw all their legions out to fight;
With equal uproar, scarcely rave
Opposing winds in Æolus' cave;

Such dialogues with earnest face,
Held never Balaam with his ass.
With daring zeal and courage blest
Honorius first the crowd address'd;
When now our 'Squire returning late,
Arrived to aid the grand debate,
With strange sour faces sat him down,
While thus the orator went on.

. . . . .

As thus he spake, our 'Squire M'Fingal
Gave to his partizans a signal.
Not quicker roll'd the waves to land,
When Moses wav'd his potent wand,
Nor with more uproar, than the Tories
Set up a gen'ral rout in chorus;
Laugh'd, hiss'd, hem'd, murmur'd, groan'd and jeer'd;
Honorius now could scarce be heard.
Our Muse amid th' increasing roar,
Could not distinguish one word more:
Tho' she sat by, in firm record
To take in short-hand ev'ry word;
As antient Muses wont, to whom
Old Bards for depositions come;
Who must have writ 'em; for how else
Could they each speech *verbatim* tell 's?
And tho' some readers of romances
Are apt to strain their tortur'd fancies,
And doubt, when lovers all alone
Their sad soliloquies do groan,
Grieve many a page with no one near 'em,
And nought but rocks and groves to hear 'em,
What spright infernal could have tattled,
And told the authors all they prattled;
Whence some weak minds have made objection,
That what they scribbled must be fiction:
'Tis false; for while the lovers spoke,
The Muse was by, with table-book,
And least some blunder might ensue,
Echo stood clerk and kept the cue.

And tho' the speech ben't worth a groat,
As usual, 'tisn't the author's fault,
But error merely of the prater,
Who should have talk'd to th' purpose better:
Which full excuse, my critic-brothers,
May help me out, as well as others;
And 'tis design'd, tho' here it lurk,
To serve as preface to this work.
So let it be — for now our 'Squire
No longer could contain his ire;
And rising 'midst applauding Tories,
Thus vented wrath upon Honorius.

. . . . .

"Have you forgot, Honorius cried,
How your prime saint the truth defied,
Affirm'd he never wrote a line
Your charter'd rights to undermine;
When his own letters then were by,
That prov'd his message all a lie?

. . . . .

To th' after-portion of the day,
I leave what more remains to say;
When I've good hope you'll all appear,
More fitted and prepared to hear,
And griev'd for all your vile demeanour:
But now 'tis time t' adjourn for dinner."

The Sun, who never stops to dine,
Two hours had pass'd the midway line,
And driving at his usual rate,
Lash'd on his downward car of state.
And now expired the short vacation,
And dinner done in epic fashion;
While all the crew beneath the trees,
Eat pocket-pies, or bread and cheese;
Nor shall we, like old Homer care
To versify their bill of fare.
For now each party, feasted well,
Throng'd in, like sheep, at sound of bell,

With equal spirit took their places;
And meeting oped with three Oh yesses:

. . . . .

As thus he said, the Tories' anger
Could now restrain itself no longer,
Who tried before by many a freak, or
Insulting noise, to stop the speaker;
Swung th' unoil'd hinge of each pew-door;
Their feet kept shuffling on the floor;
Made their disapprobation known
By many a murmur, hum and groan,
That to his speech supplied the place
Of counterpart in thorough-base:
As bag-pipes, while the tune they breathe,
Still drone and grumble underneath;
Or as the fam'd Demosthenes
Harangued the rumbling of the seas,
Held forth with eloquence full grave
To audience loud of wind and wave;
And had a stiller congregation
Than Tories are to hear th' oration.
But now the storm grew high and louder
As nearer thundrings of a cloud are,
And ev'ry soul with heart and voice
Supplied his quota of the noise;
Each listning ear was set on torture
Each Tory bell'wing out, to order;
And some, with tongue not low or weak,
Were clam'ring fast, for leave to speak;
The moderator, with great vi'lence,
The cushion thump'd with "Silence, silence;"
The constable to ev'ry prater
Bawl'd out, "Pray hear the moderator;"
Some call'd the vote, and some in turn
Were screaming high, "Adjourn, adjourn:"
Not chaos heard such jars and clashes
When all the el'ments fought for places.
Each bludgeon soon for blows was tim'd;
Each fist stood ready cock'd and prim'd;

The storm each moment louder grew;
His sword the great M'Fingal drew,
Prepar'd in either chance to share,
To keep the peace, or aid the war.
Nor lack'd they each poetic being,
Whom bards alone are skill'd in seeing;
Plumb'd Victory stood perch'd on high,
Upon the pulpit-canopy,
To join, as is her custom tried,
Like Indians, on the strongest side;
The Destinies with shears and distaff,
Drew near their threads of life to twist off;
The Furies 'gan to feast on blows,
And broken heads or bloody nose;
When on a sudden from without
Arose a loud terrific shout;
And strait the people all at once heard
Of tongues an universal concert;
Like Æsop's times, as fable runs,
When ev'ry creature talk'd at once,
Or like the variegated gabble
That craz'd the carpenters of Babel.
Each party soon forgot the quarrel,
And let the other go on parole;
. . . . . .
And left the church in thin array,
As tho' it had been lecture-day.
Our 'Squire M'Fingal straitway beckon'd
The constable to stand his second,
And sallied forth with aspect fierce
The croud assembled to disperse.
The moderator out of view
Beneath a bench had lain perdue;
Peep'd up his head to view the fray,
Beheld the wranglers run away,
And left alone with solemn face,
Adjourn'd them without time or place.

[John Trumbull], *M'Fingal: a Modern Epic Poem* (Hartford, 1782), 6-48 *passim.*

28. Spirit of American Democracy (1783)

BY FRANÇOIS JEAN, MARQUIS DE CHASTELLUX

(TRANSLATED BY GEORGE GRIEVE, 1787)

Chastellux was an officer under Rochambeau during the latter part of the Revolution. His work, based on observations made during that period, displays an intelligent sympathy. This extract is from a letter addressed to Professor James Madison, the father of President Madison. — For Chastellux, see Tuckerman, *America and her Commentators*, 58-76; *Contemporaries*, II, No. 137. — Bibliography: Channing and Hart, *Guide*, § 147. — For a later criticism, see No. 163 below.

. . . IF . . . we wish to form an idea of the American Republic we must be careful not to confound the Virginians, whom warlike as well as mercantile, an ambitious as well as speculative genius brought upon the continent, with the New Englanders who owe their origin to enthusiasm; we must not expect to find precisely the same men in Pensylvania, where the first colonists thought only of keeping and cultivating the deserts, and in South Carolina where the production of some exclusive articles fixes the general attention on external commerce, and establishes unavoidable connexions with the old world. Let it be observed, too, that agriculture which was the occupation of the first settlers, was not an adequate means of assimilating the one with the other, since there are certain species of culture which tend to maintain the equality of fortune, and others to destroy it.

These are sufficient reasons to prove that the same principles, the same opinions, the same habits do not occur in all the thirteen United States, although they are subject nearly to the same force [sort?] of government. For, notwithstanding that all their constitutions are not similar, there is through the whole a democracy, and a government of *representation*, in which the people give their suffrage by their delegates. But if we chuse to overlook those shades which distinguish this confederated people from each other; if we regard the thirteen States only as one nation, we shall even then observe that she must long retain the impression of those circumstances, which have conducted her to liberty. Every philosopher acquainted with mankind, and who has studied the springs of human action, must be convinced that, in the present revolution, the Americans have been guided by two principles, whilst they imagined they were following the impulse of only one. He will distinguish, a *positive* and a *negative* principle, in their legislation, and in their opinions. I call that principle, positive, which in so enlightened a moment as

the present, Reason alone could dictate to a people making choice of that government which suited them the best; I call that a negative principle which they oppose to the laws and usages of a powerful enemy for whom they had contracted a well founded aversion. Struck with the example of the inconveniences offered by the English government, they had recourse to the opposite extreme, convinced that it was impossible to deviate from it too much. . . . In England, a septennial parliament invites the King to purchase a majority on which he may reckon for a long period; the American assemblies *therefore* must be annual; on the other side of the water, the executive power, too uncontrolled in its action, frequently escapes the vigilance of the legislative authority; on this continent, each officer, each minister of the people must be under the immediate dependence of the assemblies, so that his first care on attaining office, will be to court the popular favour for a new election. Among the English, employments confer, and procure rank and riches, and frequently elevate their possessors to too great a height: among the Americans, offices neither conferring wealth, nor consideration, will not, it is true, become objects of intrigue or purchase, but they will be held in so little estimation as to make them avoided, rather than sought after, by the most enlightened citizens, by which means every employment will fall into the hands of new and untried men, the only persons who can expect to hold them to advantage.

In continuing to consider the thirteen United States under one general point of view, we shall observe still other circumstances which have influenced as well the principles of the government, as the national spirit. These thirteen States were at first colonies; now the first necessity felt in all rising colonies is population; I say in rising colonies, for I doubt much whether that necessity exists at present, so much as is generally imagined. Of this however I am very sure, that there will still be a complaint of want of population, long after the necessity has ceased; America will long continue to reason as follows: we must endeavour to draw foreigners amongst us, for which purpose it is indispensibly necessary to afford them every possible advantage; every person once within the State, shall be considered therefore as a member of that State, as a real citizen. Thus one year's residence in the same place shall suffice to establish him an inhabitant, and every inhabitant shall have the right of voting, and shall constitute a part of the sovereign power; from whence it will result that this sovereignty will communicate and divide itself without requiring any pledge, any security from the person who is in-

vested with it. This has arisen from not considering the possibility of other emigrants than those from Europe, who are supposed to fix themselves in the first spot where they may form a settlement; we shall one day however, see frequent emigrations from State to State; workmen will frequently transplant themselves, many of them will be obliged even to change situations from the nature of their employments, in which case it will not be singular to see the elections for a district of Connecticut, decided by inhabitants of Rhode island or New York.

Some political writers, especially the more modern, have advanced, that property alone should constitute the citizen. They are of opinion that he alone whose fortune is necessarily connected with its welfare has a right to become a member of the State. In America, a specious answer is given to this reasoning; amongst us, say they, landed property is so easily acquired, that every workman who can use his hands, may be looked upon as likely soon to become a man of property. But can America remain long in her present situation? And can the regimen of her infant state agree with her, now she has assumed the virile robe?

The following, Sir, is a delicate question which I can only propose to a philosopher like you. In establishing amongst themselves a purely democratic government, had the Americans a real affection for a democracy? And if they have wished all men to be equal, is it not solely, because, from the very nature of things, they were themselves nearly in that situation? For to preserve a popular government in all its integrity; it is not sufficient, not to admit either rank or nobility, riches alone never fail to produce marked differences, by so much the greater, as there exist no others. Now such is the present happiness of America that she has no poor, that every man in it enjoys a certain ease and independence, and that if some have been able to obtain a smaller portion of them than others, they are so surrounded by resources, that the future is more looked to, than their present situation. Such is the general tendency to a state of equality; that the same enjoyments which would be deemed superfluous in every other part of the world, are here considered as necessaries. . . . Now, Sir, let us suppose that the increase of population may one day reduce your artizans to the situation in which they are found in France and England. Do you in that case really believe that your principles are so truly democratical, as that the landholders and the opulent, will still continue to regard them as their equals? . . . I shall ask you then, whether under the belief of possessing the most

perfect democracy, you may not find that you have insensibly attained a point more remote from it, than every other Republic. . . . Now observe, Sir, that in your present form of government, you have not attached either sufficient grandeur, or dignity to any place, to render its possessor illustrious, still less the whole class from which he may be chosen. You have thrown far from you all hereditary honours, but have you bestowed sufficient personal distinctions? Have you reflected that these distinctions, far from being less considerable than those which took place among the Greeks and Romans, ought rather to surpass them? The reason of this is very obvious: the effect of honours and distinctions is by so much the more marked, as it operates on the greater number of men assembled together. . . . Men must be moved by some fixed principle; is it not better that this should be by vanity than interest? I have no doubt that love of country will always prove a powerful motive, but do not flatter yourself that this will long exist with the same spirit. The greatest efforts of the mind, like those of the body, are in resistance; and the same may happen with respect to the State, as in matters of opinion, to which we cease to be attached, when they cease to be contested.

Marquis [François Jean] de Chastellux, *Travels in North-America, in the Years 1780, 1781, and 1782* (London, 1787), II, 339-350 *passim.*

29. A Journalist's Criticism of the Press (1789)

BY BENJAMIN FRANKLIN

Franklin, who began life as a printer, never lost his interest in the progress and power of the press. — For Franklin, see No. 12 above. — Bibliography: Frederic Hudson, *Journalism in the United States;* Boston Public Library, *Bulletins*, II, 427.

AN ACCOUNT OF THE SUPREMEST COURT OF JUDICATURE IN PENNSYLVANIA, VIZ., THE COURT OF THE PRESS.

Power of this Court.

It may receive and promulgate accusations of all kinds against all persons and characters among the citizens of the State, and even against all inferior courts, and may judge, sentence, and condemn to infamy, not only private individuals, but public bodies, etc., with or without inquiry or hearing *at the court's discretion.*

In whose Favor and for whose Emolument this Court is Established.

In favor of about one citizen in five hundred, who, by education or practice in scribbling, has acquired a tolerable style as to grammar and construction, so as to bear printing, or who is possessed of a press and a few types. This five hundredth part of the citizens have the privilege of accusing and abusing the other four hundred and ninety-nine parts at their pleasure; or they may hire out their pens and press to others for that purpose.

Practice of the Court.

It is not governed by any of the rules of common courts of law. The accused is allowed no grand jury to judge of the truth of the accusation before it is publicly made, nor is the name of the accuser made known to him, nor has he an opportunity of confronting the witnesses against him; for they are kept in the dark, as in the Spanish court of Inquisition. Nor is there any petty jury of his peers, sworn to try the truth of the charges. The proceedings are also sometimes so rapid that an honest, good citizen may find himself suddenly and unexpectedly accused, and in the same morning judged and condemned, and sentence pronounced against him, that he is a *rogue* and a *villain*. Yet, if an officer of this court receives the slightest check for misconduct in this his office, he claims immediately the rights of a free citizen by the constitution, and demands to know his accuser, to confront the witnesses, and to have a fair trial by a jury of his peers.

The Foundation of its Authority.

It is said to be founded on an article in the State constitution, which establishes *the liberty of the press*, a liberty which every Pennsylvanian will fight and die for, though few of us, I believe, have distinct ideas of its nature and extent. It seems, indeed, somewhat like the *liberty of the press* that felons have, by the common law of England, before conviction, that is, to be *pressed* to death or hanged. If by the *liberty of the press* were understood merely the liberty of discussing the propriety of public measures and political opinions, let us have as much of it as you please; but if it means the liberty of affronting, calumniating, and defaming one another, I for my part, own myself willing to part with my share of it whenever our legislators shall please so to alter the law, and shall

cheerfully consent to exchange my *liberty* of abusing others for the *privilege* of not being abused myself.

By whom this Court is Commissioned or Constituted.

It is not by any commission from the Supreme Executive Council, who might previously judge of the abilities, integrity, knowledge, etc., of the persons to be appointed to this great trust, of deciding upon the characters and good fame of the citizens; for this court is above that council, and may *accuse*, *judge*, and *condemn* it at pleasure. Nor is it hereditary, as in the court of *dernier resort*, in the peerage of England. But any man who can procure pen, ink, and paper, with a press, a few types, and a huge pair of BLACKING balls, may commissionate himself; and his court is immediately established in the plenary possession and exercise of its rights. For if you make the least complaint of the *judge's* conduct, he daubs his blacking balls in your face wherever he meets you; and, besides tearing your private character to flitters, marks you out for the odium of the public, as an *enemy to the liberty of the press*.

Of the natural Support of these Courts.

Their support is founded in the depravity of such minds, as have not been mended by religion, nor improved by good education:

> "There is a lust in man no charm can tame,
> Of loudly publishing his neighbor's shame."

Hence;

> "On eagle's wings immortal scandals fly,
> While virtuous actions are but born and die."
>
> DRYDEN.

Whoever feels pain in hearing a good character of his neighbor, will feel a pleasure in the reverse. And of those who, despairing to rise into distinction by their virtues, are happy if others can be depressed to a level with themselves, there are a number sufficient in every great town to maintain one of these courts by their subscriptions. A shrewd observer once said, that, in walking the streets in a slippery morning, one might see where the good-natured people lived by the ashes thrown on the ice before their doors; probably he would have formed a different conjecture of the temper of those whom he might find engaged in such a subscription.

Of the Checks proper to be Established against the Abuse of Power in these Courts.

Hitherto there are none. But since so much has been written and published on the Federal Constitution, and the necessity of checks in all other parts of good government has been so clearly and learnedly explained, I find myself so far enlightened as to suspect some check may be proper in this part also; but I have been at a loss to imagine any that may not be construed an infringement of the sacred *liberty of the press*. At length, however, I think I have found one that, instead of diminishing general liberty, shall augment it; which is, by restoring to the people a species of liberty, of which they have been deprived by our laws, I mean the *liberty of the cudgel*. In the rude state of society prior to the existence of laws, if one man gave another ill language, the affronted person would return it by a box on the ear, and, if repeated, by a good drubbing; and this without offending against any law. But now the right of making such returns is denied, and they are punished as breaches of the peace; while the right of abusing seems to remain in full force, the laws made against it being rendered ineffectual by the *liberty of the press*.

My proposal then is, to leave the liberty of the press untouched, to be exercised in its full extent, force, and vigor; but to permit the *liberty of the cudgel* to go with it *par*[*i*] *passu*. Thus, my fellow-citizens, if an impudent writer attacks your reputation, dearer to you perhaps than your life, and puts his name to the charge, you may go to him as openly and break his head. If he conceals himself behind the printer, and you can nevertheless discover who he is, you may in like manner way-lay him in the night, attack him behind, and give him a good drubbing. Thus far goes my project as to *private* resentment and retribution. But if the public should ever happen to be affronted, *as it ought to be*, with the conduct of such writers, I would not advise proceeding immediately to these extremities; but that we should in moderation content ourselves with tarring and feathering, and tossing them in a blanket,[.]

If, however, it should be thought that this proposal of mine may disturb the public peace, I would then humbly recommend to our legislators to take up the consideration of both liberties, that of the *press*, and that of the *cudgel*, and by an explicit law mark their extent and limits; and, at the same time that they secure the person of a citizen

from *assaults*, they would likewise provide for the security of his *reputation*.

Federal Gazette (Philadelphia), September 12, 1789; reprinted in Benjamin Franklin, *Complete Works* (edited by John Bigelow, New York, etc., 1888), X, 139–144.

30. What is Popular Government? (1790)

BY LIEUTENANT-GOVERNOR SAMUEL ADAMS

Samuel Adams, leader in resisting England's authority and in precipitating the conflict, signer of the Declaration of Independence, lieutenant-governor and governor of Massachusetts, was foremost among the movers of the American Revolution in recognizing the wishes of the masses and in enthusiasm for government by them. The letter was addressed to his cousin, John Adams. — For Samuel Adams, see Channing and Hart, *Guide*, § 25. — Bibliography as in No. 28 above.

BOSTON, November 20, 1790.

. . . I LATELY received your letter of the 18th of October. The sentiments and observations contained in it demand my attention.

A republic, you tell me, is a government in which "the people have an essential *share* in the sovereignty." Is not the *whole* sovereignty, my friend, essentially in the people? Is not government designed for the welfare and happiness of all the people? and is it not the uncontrollable, essential right of the people to amend and alter or annul their Constitution, and frame a new one, whenever they shall think it will better promote their own welfare and happiness to do it? That the sovereignty resides in the people, is a political doctrine which I have never heard an American politician seriously deny. The Constitutions of the American States reserve to the people the exercise of the rights of sovereignty by the annual or biennial election of their governors, senators, and representatives; and by empowering their own representatives to impeach the greatest officers of the State before the senators, who are also chosen by themselves. *We the people*, is the style of the Federal Constitution: they adopted it; and, conformably to it, they delegate the exercise of the powers of government to particular persons, who, after short intervals, resign their powers to the people; and they will re-elect them, or appoint others, as they think fit.

The American Legislatures are nicely balanced. They consist of two branches, each having a check upon the determinations of the other. They sit in different chambers, and probably often reason differently in

their respective chambers on the same question: if they disagree in their decisions, by a conference their reasons and arguments are mutually communicated to each other; candid explanations tend to bring them to agreement; and then, according to the Massachusetts Constitution, the matter is laid before the First Magistrate for his revision. He states objections, if he has any, with his reasons, and returns them to the legislators, who, by larger majorities, ultimately decide. Here is a mixture of three powers, founded in the nature of man, calculated to call forth the rational faculties, in the great points of legislation, into exertion, to cultivate mutual friendship and good humor, and, finally, to enable them to decide, not by the impulse of passion or party prejudice, but by the calm voice of reason, which is the voice of God. In this mixture you may see your "natural and actual aristocracy among mankind," operating among the several powers in legislation, and producing the most happy effects. But the son of an excellent man may never inherit the great qualities of his father; this is a common observation, and there are many instances of its truth. Should we not, therefore, conclude that hereditary nobility is a solecism in government? . . . Much safer is it, and much more does it tend to promote the welfare and happiness of society, to fill up the offices of government, after the mode prescribed in the American Constitutions, by frequent elections of the people. They may, indeed, be deceived in their choice; they sometimes are. But the evil is not incurable, the remedy is always near; they will feel their mistakes and correct them.

I am very willing to agree with you in thinking that improvements in knowledge and benevolence receive much assistance from the principles and systems of good government. But is it not as true that, without knowledge and benevolence, men would neither have been capable nor disposed to search for the principles or form the system? Should we not, my friend, bear a grateful remembrance of our pious and benevolent ancestors, who early laid plans of education, by which means wisdom, knowledge, and virtue have been generally diffused among the body of the people, and they have been enabled to form and establish a civil Constitution calculated for the preservation of their rights and liberties? This Constitution was evidently founded in the expectation of the further progress and *extraordinary* degrees of virtue. It enjoins the encouragement of all seminaries of literature, which are the nurseries of virtue, depending upon these for the support of government, rather than titles, splendor, or force. Mr. Hume may call this a "chimerical

project;" I am far from thinking the people can be deceived by urging upon them a dependence on the more general prevalence of knowledge and virtue. . . .

"It is a fixed principle that all good government is, and must be, republican." You have my hearty concurrence; and I believe we are well enough acquainted with each other's ideas to understand what we respectively mean when we "use the word with approbation." The body of the people in this country are not so ignorant as those in England were in the time of the Interregnum Parliament. They are better educated. . . . So well assured are they that their liberties are best secured by their own frequent and free election of fit persons to be the essential sharers in the administration of their government, and that this form of government is truly *republican*, that the body of the people will not be persuaded nor compelled to "renounce, detest, and execrate" the very word *republican*, "as the English do." Their education has "confirmed them in the opinion of the necessity of preserving and strengthening the dikes against the ocean, its tides and storms;" and I think they have made more safe and more durable dikes than the English have done. . . .

"The people who have no property feel the power of governing by a majority, and ever attack those who have property." "The injured men of property recur to *finesse*, trick, and stratagem to outwit them." True: these may proceed from a lust of domination in *some* of both parties. Be this as it may, it has been known that such deceitful tricks have been practised by some of the rich upon their unsuspecting fellow-citizens, to turn the determination of questions so as to answer their own selfish purposes. To plunder or filch the rights of men are crimes equally immoral and nefarious, though committed in different manners. Neither of them is confined to the rich or the poor; they are too common among both. The Lords as well as the Commons of Great Britain, by continued large majorities endeavored by *finesse*, tricks, and stratagems, as well as threats, to prevail on the American Colonies to surrender their liberty and property to their disposal. These failing, they attempted to *plunder* our rights by force of arms. We feared their arts more than their arms. Did the members of that hereditary House of Lords, who constituted those repeated majorities, then possess the spirit of nobility? Not so, I think. That spirit resided in the illustrious minorities in both Houses.

But "by nobles," who have prevented "one hideous despotism as

horrid as that of Turkey from falling to the lot of every nation of Europe," you mean, "not peculiarly an hereditary nobility, or any particular modification, but the natural and actual aristocracy among mankind," the existence of which I am not disposed to deny. Where is this aristocracy found? Among men of all ranks and conditions. The cottager may beget a wise son; the noble, a fool. The one is capable of great improvement; the other is not. Education is within the power of men and societies of men; wise and judicious modes of education, patronized and supported by communities, will draw together the sons of the rich and the poor, among whom it makes no distinction; it will cultivate the natural genius, elevate the soul, excite laudable emulation to excel in knowledge, piety, and benevolence; and finally it will reward its patrons and benefactors by shedding its benign influence on the public mind. Education inures men to thinking and reflection, to reasoning and demonstration. It discovers to them the moral and religious duties they owe to God, their country, and to all mankind. Even savages might, by the means of education, be instructed to frame the best civil and political institutions with as much skill and ingenuity as they now shape their arrows. Education leads youth to "the study of human nature, society, and universal history," from whence they may "draw all the principles" of political architecture which ought to be regarded. All men are "interested in the truth;" education, by showing them "the end of all its consequences," would induce at least the greatest numbers to enlist on its side. The man of good understanding, who has been well educated, and improves these advantages as far as his circumstances will allow, in promoting the happiness of mankind, in my opinion, and I am inclined to think in yours, is indeed "well born."

William V. Wells, *The Life and Public Services of Samuel Adams* (Boston. 1865), III, 308–313 *passim*.

CHAPTER V — THE FRONTIER, 1783–1800

31. How to Found a Settlement (1785–1806)

BY JUDGE WILLIAM COOPER (*circa* 1806)

William Cooper, judge and member of Congress, was the father of James Fenimore Cooper. After the Revolution he acquired a large tract of land in New York, founded Cooperstown, and made it the centre of a flourishing community. He was one of the most far-sighted commonwealth-builders of his day. — Bibliography of settlements in New York: Channing and Hart, *Guide*, § 23. — For the West in general, see No. 35 below.

YOU have desired to know something of my own proceedings, and since I am to speak of myself, I can no where better introduce that subject than now, in proof of what I have asserted.

I began with the disadvantage of a small capital, and the incumbrance of a large family, and yet I have already settled more acres than any man in America. There are forty thousand souls now holding directly or indirectly under me, and I trust, that no one amongst so many can justly impute to me any act resembling oppression. I am now descending into the vale of life, and I must acknowledge that I look back with self-complacency upon what I have done, and am proud of having been an instrument in reclaiming such large and fruitful tracts from the waste of the creation. And I question whether that sensation is not now a recompence more grateful to me than all the other profits I have reaped. Your good sense and knowledge of the world will excuse this seeming boast; if it be vain, we all must have our vanities, let it at least serve to show that industry has its reward, and age its pleasures, and be an encouragement to others to persevere and prosper.

In 1785 I visited the rough and hilly country of Otsego, where there existed not an inhabitant, nor any trace of a road; I was alone three hundred miles from home, without bread, meat, or food of any kind; fire and fishing tackle were my only means of subsistence. I caught trout in the brook, and roasted them on the ashes. My horse fed on the grass that grew by the edge of the waters. I laid me down to sleep in my watch-coat, nothing but the melancholy Wilderness around me.

In this way I explored the country, formed my plans of future settlement, and meditated upon the spot where a place of trade or a village should afterwards be established.

In May 1786 I opened the sales of 40,000 acres, which, in sixteen days, were all taken up by the poorest order of men. I soon after established a store, and went to live among them, and continued so to do till 1790, when I brought on my family. For the ensuing four years the scarcity of provisions was a serious calamity; the country was mountainous, there were neither roads nor bridges.

But the greatest discouragement was in the extreme poverty of the people, none of whom had the means of clearing more than a small spot in the midst of the thick and lofty woods, so that their grain grew chiefly in the shade; their maize did not ripen; their wheat was blasted, and the little they did gather they had no mill to grind within twenty miles distance; not one in twenty had a horse, and the way lay through rapid streams, across swamps, or over bogs. They had neither provisions to take with them, nor money to purchase them; nor if they had, were any to be found on their way. If the father of a family went abroad to labour for bread, it cost him three times its value before he could bring it home, and all the business on his farm stood still till his return.

I resided among them, and saw too clearly how bad their condition was. I erected a store-house, and during each winter filled it with large quantities of grain, purchased in distant places. I procured from my friend Henry Drinker a credit for a large quantity of sugar kettles; he also lent me some pot ash kettles, which we conveyed as we best could; sometimes by partial roads on sleighs, and sometimes over the ice. By this means I established pot ash works among the settlers, and made them debtor for their bread and labouring utensils. I also gave them credit for their maple sugar and pot ash, at a price that would bear transportation, and the first year after the adoption of this plan I collected in one mass forty-three hogsheads of sugar, and three hundred barrels of pot and pearl ash, worth about nine thousand dollars. This kept the people together and at home, and the country soon assumed a new face.

I had not funds of my own sufficient for the opening of new roads, but I collected the people at convenient seasons, and by joint efforts we were able to throw bridges over the deep streams, and to make, in the cheapest manner, such roads as suited our then humble purposes.

In the winter preceding the summer of 1789, grain rose in Albany to a price before unknown. The demand swept the whole granaries of the

Mohawk country. The number of beginners who depended upon it for their bread greatly aggravated the evil, and a famine ensued, which will never be forgotten by those who, though now in the enjoyment of ease and comfort, were then afflicted with the cruelest of wants.

In the month of April I arrived amongst them with several loads of provisions, destined for my own use and that of the labourers I had brought with me for certain necessary operations; but in a few days all was gone, and there remained not one pound of salt meat nor a single biscuit. Many were reduced to such distress, as to live upon the roots of wild leeks; some more fortunate lived upon milk, whilst others supported nature by drinking a syrup made of maple sugar and water. The quantity of leeks they eat had such an effect upon their breath, that they could be smelled at many paces distance, and when they came together, it was like cattle that had pastured in a garlic field. A man of the name of Beets mistaking some poisonous herb for a leek, eat it, and died in consequence. Judge of my feelings at this epoch, with two hundred families about me, and not a morsel of bread.

A singular event seemed sent by a good Providence to our relief; it was reported to me that unusual shoals of fish were seen moving in the clear waters of the Susquehanna. I went and was surprised to find that they were herrings. We made something like a small net, by the interweaving of twigs, and by this rude and simple contrivance, we were able to take them in thousands. In less than ten days each family had an ample supply with plenty of salt. I also obtained from the Legislature, then in session, seventeen hundred bushels of corn. This we packed on horses backs, and on our arrival made a distribution among the families, in proportion to the number of individuals of which each was composed.

This was the first settlement I made, and the first attempted after the revolution; it was, of course, attended with the greatest difficulties; nevertheless, to its success many others have owed their origin. It was besides the roughest land in all the state, and the most difficult of cultivation of all that has been settled; but for many years past it has produced every thing necessary to the support and comfort of man. It maintains at present eight thousand souls, with schools, academies, churches, meeting-houses, turnpike roads, and a market town. It annually yields to commerce large droves of fine oxen, great quantities of wheat and other grain, abundance of pork, pot ash in barrels, and other provisions; merchants with large capitals, and all kinds of useful mechanics reside upon it; the waters are stocked with fish, the air is salu-

brious, and the country thriving and happy. When I contemplate all this, and above all, when I see these good old settlers meet together, and hear them talk of past hardships, of which I bore my share, and compare the misery they then endured with the comforts they now enjoy, my emotions border upon weakness, which manhood can scarcely avow. One observation more on the duty of landlords shall close my answer to your first inquiry,

If the poor man who comes to purchase land has a cow and a yoke of cattle to bring with him, he is of the most fortunate class, but as he will probably have no money to hire a labourer, he must do all his clearing with his own hands. Having no pasture for his cow and oxen, they must range the woods for subsistence; he must find his cow before he can have his breakfast, and his oxen before he can begin his work. Much of the day is sometimes wasted, and his strength uselessly exhausted. Under all these disadvantages, if in three years he attains a comfortable livelihood, he is pretty well off: he will then require a barn, as great losses accrue from the want of shelter for his cattle and his grain; his children, yet too young to afford him any aid, require a school, and are a burden upon him; his wife bearing children, and living poorly in an open house, is liable to sickness, and doctors bills will be to pay. If then, in addition to all this, he should be pressed by his landlord, he sinks under his distress; but if, at this critical moment, he be assisted and encouraged, he will soon begin to rise. The landlord should first give him a fair time; if after that he cannot pay the principal money, he may take from him a release of the equity of redemption, and then grant him a lease for ever with a clause of fee on payment of the principal, and the rent reserved, which it would be well to make payable in wheat, with a moderate advance on the first price and interest.

Indeed justice and policy combine to point out the duty of the landlord; for if a man has struggled ten years in vain, and is, at the end of that time, unable to pay, not only humanity, but self-interest dictates another course, and some new expedient for reciprocal advantage. So here, the tenant instead of being driven for the principal, will not only keep his possession, but retain the privilege of re-acquiring the principal at a future day, by the very produce of the lands. He will be happy in the idea of still preserving his home, will pay his rent with cheerfulness, and the landlord has so much certainly added to his capital, whether the tenant re-purchases the fee or not; the improvements if he does purchase it, and if not, the price agreed upon. . . .

Some rich theorists let the property they purchase lie unoccupied and unproductive, and speculate upon a full indemnity from the future rise in value, the more so as they feel no want of the immediate profits. But I can assert from practical experience, that it is better for a poor man to pay forty shillings an acre to a landlord who heads the settlement, and draws people around him by good plans for their advancement, and arrangements for their convenience, than to receive an hundred acres gratis from one of these wealthy theorists; for if fifty thousand acres be settled, so that there is but one man upon a thousand acres, there can be no one convenience of life attainable; neither road, school, church, meeting, nor any other of those advantages, without which man's life would resemble that of a wild beast.

Of this I had full proof in the circumstances of the Burlington company; they were rich, and purchased a tract of sixty-nine thousand acres, and made a deed of gift of one hundred acres out of each thousand to actual settlers; and this they were bound to do in compliance with a condition in the king's patent. They provided these settlers with many articles of husbandry under the particular agency of Mr. Nathaniel Edwards. But he very soon returned, and not long afterwards the settlers followed, stating, that they could not support themselves so far in the woods in that scattered situation.

I then resided in Burlington, and when I undertook to make the settlement on those very lands, where so rich a company had failed, it was thought a romantic undertaking for a man unprovided with funds, to attempt what gratuitous donations had not been able to achieve. Nevertheless I succeeded, and for that very reason that I made no partial gifts, but sold the whole at a moderate price with easy payments, having for myself a handsome profit; and people were readily induced to come when they saw a number of co-operators, and the benefits of association.

You have now before you, as well as I can explain, the advantages and the difficulties which belong to an enterprize in new lands. But let me be clearly understood in this, that no man who does not possess a steady mind, a sober judgment, fortitude, perseverance, and above all, common sense, can expect to reap the reward, which to him who possesses those qualifications, is almost certain.

Judge [William] Cooper, *A Guide in the Wilderness* (Dublin, 1810), 12–21 *passim*.

32. Early Days at Marietta (1788)

BY COLONEL JOHN MAY

May was a wealthy Boston merchant who became a Revolutionary officer and later one of the adventurers in the Ohio Company. In connection with this company he made two trips to the Ohio, and built the first framed house at Marietta. — Bibliography: Roosevelt, *Winning of the West*, III, ch. vi; P. G. Thomson, *Bibliography of Ohio;* S. P. Hildreth, *Pioneer History*. — For an earlier attempt to settle the Ohio country, see *Contemporaries*, II, No. 135.

MAY 12th [1788], Monday. I am still in quarters opposite Pittsburg, living as cheaply as if I was at Muskingum. Am waiting for the boat to carry us all down. . . . Yesterday two boats for Kentucky hauled in at our landing, having on board twenty-nine whites, twenty-four negroes, nine dogs, twenty-three horses, cows, hogs, etc., besides provision and furniture. Several have passed to-day equally large. . . .

Wednesday, 21st. At 2 o'clock P. M. our boat — oh, be joyful! — hove in sight, coming around the point, and, in half an hour, was made fast at Pittsburg. She is forty-two feet long and twelve feet wide, with cover. She will carry a burden of forty-five tons, and draws only two and one-half feet water. . . .

Saturday, 24th. . . . At 12½ o'clock cast off our fasts, and committed ourselves to the current of the Ohio. The scene was beautiful. Without wind or waves, we, insensibly almost, make more than five miles an hour. . . .

Monday, 26th. . . . Thus we moved on, constantly espying new wonders and beauties, till 3 o'clock, when we arrived safely on the banks of the delightful Muskingum.

Tuesday, 27th. Slept on board last night, and rose early this morning. Have spent the day in reconnoitering the spot where the city is to be laid out, and find it to answer the best descriptions I have ever heard of it. The situation delightfully agreeable, and well calculated for an elegant city. . . .

As to our surveying, buildings, etc., they are in a very backward way. Little appears to be done, and a great deal of time and money misspent. . . .

Wednesday, 28th. . . . The directors and agents present agreed to lease the *ministerial lot* to different persons, in lots of ten acres each, for a term not less than one hundred years, at the option of the lessee —

to be without rent the first ten years, and then a fixed rent the remainder of the time. This was done to accommodate a number of proprietors present, whose *eight-acre lots* were drawn at a distance. Went this afternoon to survey the *ten-acre lots*, and drew for them in the evening. . . .

Thursday, 29th. This day the axe is laid to the root of the trees. In order to this my people were armed with the suitable tool, and went forth to smite the ancient tenants of the woods. Venison plenty at 1*d.* or one copper, per pound. I was engaged all the afternoon with the surveyors. Find the soil very good, but was tormented beyond measure by myriads of gnats. They not only bite surprisingly, but get down one's throat.

This evening, arrived two long boats from the Rapids, with officers and soldiers, the number about one hundred. On their passage up the river they were fired upon by a strong party of Indians, headed by a white man. They returned the fire, and had two men killed. They were obliged to drop down the river a piece, and come by the place in the night. There are various reports about the hostilities of the savages, but nothing to be depended on. The Indians are frequently in here, and seem to be on friendly terms. I have shaken hands with many of them. My people employed in clearing land. I have been, this afternoon, sowing garden-seeds. . . .

Saturday, 31st. All hands at work on my *ten-acre lot.* Took hold of it with spirit. There are six of us in all, and we completely cleared an acre and a half by sunset. The land as good as any that can be found in the universe. . . .

Tuesday, [June] 10th. . . . The people hewing timber for the house, which I am in hopes to raise in eight or ten days; for I am not very comfortable on board my Kentucky ship. Met this morning, according to adjournment, and after much debate and discussion, agreed to cut up our commons into *three-acre* lots, to be drawn for in July. This has appeased the minds of the people. We also appointed officers of police.

Wednesday, 11th. . . . I have enlarged my gang to-day, which I have divided into three squads: four men hewing timber; two clearing land; and two digging a cellar in the bank, near my boat. This conveniency is much wanted to keep the beer and other matters in. We have dug no wells as yet, and the river water is too warm to be pleasant. . . .

Sunday, 15th. . . . A number of poor devils — five in all — took their

departure homeward this morning. They came from home moneyless and brainless, and have returned as they came. . . .

Tuesday, 17th. . . . This evening Judge Parsons' and General Varnum's commissions were read; also, regulations for the government of the people. In fact, by-laws were much wanted. Officers were named to command the militia; guards to be mounted every evening; all males more than fifteen years old to appear under arms every Sunday. . . .

Thursday, 19th. All hands employed in planting corn and garden-seeds. . . .

Saturday, 21st. . . . Five large Kentucky boats went down to-day, loaded with families, etc. . . .

Wednesday, [July] 2d. . . . Attended . . . a meeting of directors and agents, according to order at Providence, 8th March. Chose a committee to make preparation for drawing *the city lots*. Entered into several debates, and at 2 o'clock adjourned until Monday, 7th inst., at 8 o'clock in the morning, for the purpose of *drawing the city lots*, and transacting such other business as may be thought necessary for the establishment of our infant settlement. . . .

Friday, 4th. . . . All labor comes to a pause to-day, in memory of the Declaration of Independence. Our long bowery is built on the east bank of the Muskingum; a table laid sixty feet long, in plain sight of the garrison, at one-quarter of a mile distance. At 1 o'clock General Harmer and his lady, Mrs. McCurders, and all the officers not on duty came over, and several other gentlemen. An excellent oration was delivered by Judge Varnum, and the cannon fired a salute of fourteen guns. . . .

Wednesday, 9th. . . . This is, in a sense, the birthday of this Western World. Governor St. Clair arrived at the garrison. His landing was announced by the discharge of fourteen cannon; and all rejoiced at his coming. . . .

Friday, 11th. A delightful day. All hands at work on the house. This an arduous undertaking, and will cost more than I intended. Am building from several motives. First, for the benefit of the settlement; second, from a prospect or hope of gain hereafter; third, for an asylum for myself and family, should we ever want it; fourth, as a place where I can leave my stores and baggage in safety; and lastly, to gratify a foolish ambition, I suppose it is. The house is thirty-six feet long, eighteen wide, and fifteen high; a good cellar under it, and drain; and is the first (of the kind) built in Marietta. . . .

Monday, 14th. All hands at work on the house. Eat green peas to-day from my own garden, planted exactly five weeks ago. All this trusting to Providence but a little while. Things do grow amazingly! . . .

Sunday, 20th. . . . At 11 o'clock to-day a religious service. Mr. Daniel Breck began the observances by singing, praying, and preaching. The place of worship was our bowery, on the bank directly over my ship. A large number of people were assembled from the garrison, Virginia, and our own settlement — in all about three hundred; some women and children, which was a pleasing, though something unusual sight for us to see. . . .

[Wednesday, 23d.] . . . Henry Williams alarmed us a little this evening, when he returned from the Virginia shore: he brought information that our settlement was to be attacked this night by three strong parties of Chippewaw Indians — so said the report — to relieve the prisoners. We have sent this information over to the garrison. It proved false, however; but it made some trouble for us. We may always expect trouble while traveling through this life, which is nothing more than a wilderness world. We ought to make the best use we can of these matters, small and great. At Boston we have frequent alarms of fire, and inundations of the tides; here the Indians answer the same purpose.

Thursday, 24th. Fine weather, and work enough for willing hands to do. For several days we have had plenty of vegetables from our own industry; and I dare say that there is not a market in the world which will have a greater variety of good things than we shall have this fall. And what makes it extraordinary is, that they were grown on land where, six weeks ago, stood the lofty trees of the forest, from eight to ten rods long.

Friday, 25th. Yesterday employed in finishing the house. . . . Glazed the windows for the house to-day. I packed eighty quarries of glass at Boston, and found them all whole. . . .

Thursday, 31st. Last evening the governor sent the police officer to inform us that we must keep a good lookout, as there were three parties of Indian warriors out; some of them, he thought, intended against our settlement.

Friday and Saturday, 1st and 2d August. . . . We begin now to knock the boat to pieces, in order to obtain boards suitable for flooring the house. . . .

Col. John May, *Journal and Letters . . . relative to two Journeys to the Ohio Country in 1788 and '89* (Ohio Historical and Philosophical Society, Cincinnati, 1873), 37–92 *passim*.

33. Why the West will Remain in the Union (1790)

BY GENERAL RUFUS PUTNAM

Putnam, a civil engineer, became a brigadier-general during the Revolution. He was one of the organizers of the Ohio Company and became its superintendent. He founded Marietta in 1788 and was prominent in the development of the Northwest. This letter was addressed to Fisher Ames. — For Putnam, see S. P. Hildreth, *Pioneer Settlers of Ohio*, 13–119. — Bibliography: Roosevelt, *Winning of the West*, III.

[January, 1790.]

. . . IN conversation with you at New York in July last (if I recollect right), you made this a question: "Can we retain the western country within the government of the United States? And if we can, of what use will it be to them?" . . .

That they may be retained appears to me evident from the following consideration, viz., that it will always be their interest that they should remain connected. . . . It is true that flour, hemp, tobacco, iron, potash, and such bulky articles will go down the Mississippi to New Orleans for market, and there be sold, or shipped to the Atlantic States, Europe, and West Indies; and it is also admitted that the countries west of the mountains and below or to the southward of the junction of the Ohio with the Mississippi may import goods from New Orleans; and then it is absolutely necessary that the people of the western country, in some way or other, at a proper period, should be possessed of the free navigation of the Mississippi River. It does not, however, follow from hence that it will be for their interest to lose their connection with the Atlantic States; but the contrary will appear if we consider that all the beef, pork, and mutton (from a very great part of the western country) will come to the seaports of Virginia, Maryland, and Pennsylvania to Market. Also, most of the furs and skins, etc., obtained by the Indian trade can be sent to those places and New York much more to the advantage of the West country people than they can be sent to New Orleans and Quebec. Besides, all the goods for carrying on the Indian trade, as well as supplying the inhabitants even to the Kentucky and Wabash countries, are at present imported into that country from Philadelphia, Baltimore, Alexandria, etc., much cheaper than they can be obtained from New Orleans or Quebec.

There is also not the least doubt but when the navigation of the Potomac is completed, with the carrying-place to the Monongahela, according to the plan of the undertakers, the transport of goods into the western

country will be lowered fifty per cent; and should other communication be opened, which no doubt will be, between the Susquehanna and Alleghany rivers, James river and the Great Kanawha, the expense of transportation will be reduced still lower. In short, from the seaports of the United States to Niagara, Detroit, and even of the Lake of the Woods, goods can be supplied much cheaper than from any other quarter.

From this statement of facts, which I presume can not be disproved, I conceive it fully appears to be the interest of the people of the Western country to remain a part of the United States. If it be said that they may be separated and yet retain all the advantages of trade here mentioned, I answer that it is possible, but by no means probable; for (admitting the separation was not hostile) it is by no means reasonable to suppose that the legislature of the United States would pay the same attention to the subjects of a foreign power as to their own. Nor is it to be presumed that those people will ever forget that while they remain a part of the union, they will have their voice in the councils of the nation, and that no law can pass but what must affect their brethren on this side the mountains, as well as themselves. To be deprived of a commerce with the United States would be greatly to the injury, if not the ruin, of that country; and to voluntarily deny themselves a voice in the regulation of that commerce, and trust themselves (without any check or control) in the hand of those whose interest would be distinct from their own, is a folly I trust they never will be guilty of.

But it may be said there are advantages to be gained which will overbalance all this loss. Pray let us attend a little to this matter. Will they put themselves under the Vice-Roy of Canada? What will be their gain here? A legislative council of the King's own appointment gives law to the province, except that the whole is under the control of a military governor. A few, by permission from Lord Dorchester, or somebody else, may carry goods into the Indian country, but returns must be made to Quebec. Surely, this government can never suit their genius, nor be for their interest. Nor is the advantage to be derived from the Spanish government much better. It is true that New Orleans will be a great mart for their produce, but it is very doubtful if they were Spanish subjects whether they would enjoy greater privileges than they might without. The inhabitants would certainly have no voice in the matter, but must be subject to the will of a despot. They could expect no indulgence but what should comport with the interest of the governor and Spanish Court; and this they may reasonably expect, even should they

remain part of the United States, so that if the object be to unite them with Great Britain or Spain, I see nothing that is in the least degree worth their attention.

Perhaps the idea is that they should set up for a separate independent government. This maggot, I know, is in the heads of some people; therefore we will consider it a little and see if we can find it to be for their interest. For argument's sake, we will suppose the United States to consent to all this, we will suppose, moreover, that they grant a free trade to the subjects of this new government, and then pray tell me what they will be the better for it? Nay, will they not be in a much worse situation? Will they not incur a great expense to support their new government beyond what their proportion to the old can possibly be? And can it then be for their interest to be separated?

It may be said that they want a free trade to New Orleans, and thence to the Sea; that while they remain a part of the United States, this is not likely to be obtained; that the interest of the old states and theirs in this respect is inconsistent with each other; that the object is, first to separate themselves from the Union, and then to clear the river of the Spaniards. This, I have heard, is the language of some people in Kentucky; but is it rational? Will the measure be for their interest, and, if not for their interest, are we to suppose the measure will be pursued? Have these people considered that the United States are deeply interested in opposing such separation? Have they considered that driving the Spaniards out of the river will not give them a free trade to the sea? Do they know that the harbors of Pensacola and Havana are so situated that, a few cruisers from them sent into the Bay, not one vessel in a thousand going from or returning to the Mississippi would escape falling into their hands? No, Sir; so far would such a measure be from giving them a free trade to the sea, that it would put an end to their present market, and all reasonable prospects of a compensation for the loss. Nor do I conceive that the interests of the Atlantic states and the Western country, as it respects the navigation of the Mississippi, by any means clash. For it is for the interest of the United States that flour, tobacco, potash, iron, and lumber of all kinds, with ships ready built, should be sent to Europe and the West Indies by way of remittance for goods obtained from those countries. If hemp, flax, iron, and many other raw materials be of any use to be brought into the Atlantic States for the purpose of manufacturing, then it is the interest of those states that the navigation of the Mississippi should be free.

. . . I do not deny but what such circumstances may exist as shall not only make it the wish of some, but of all, the inhabitants of that country to be separated from the old States, but what I contend for is, that these circumstances do not, nor ever can (if I may be allowed the expression) exist naturally. I allow that, should Congress give up her claim to the navigation of the Mississippi or cede it to the Spaniards, I believe the people in the Western quarter would separate themselves from the United States very soon. Such a measure, I have no doubt, would excite so much rage and dissatisfaction that the people would sooner put themselves under the despotic government of Spain than remain the indented servants of Congress; or should Congress by any means fail to give the inhabitants of that country such protection as their present infant state requires, connected with the interest and dignity of the United States; in that case such events may take place as will oblige the inhabitants of that country to put themselves under the protection of Great Britain or Spain. . . . But . . . we are not to suppose that Congress will do wrong when it is their interest to do right. . . .

. . . But there is another point of light in which we ought to consider this matter, for if we would know the real advantage that country must be to this, remaining united, we ought to consider what probable mischief will ensue by a division. Among these may be reckoned the loss of more than seventy-five million dollars in the sale of lands, an annual revenue of more than one hundred and sixty thousand dollars on European and West India goods, with all the advantages that can possibly arise from the peltry trade. And, what is a matter of serious consideration, it is more than probable (in case of a separation from the United States) that country would be divided between Great Britain and Spain, for I can see no reason to suppose they will maintain a separate existence. Then I suppose the western boundary of the United States must be the Alleghany Mountains. A miserable frontier this (and yet the best to be found if we give up the Western Country) that will require more expense to guard than the protection of all the Western Territory. The natural boundaries of the great lakes and the Mississippi River added to the inhabitants of the western quarter will give such strength and security to the old States, if properly attended to, as they must most sensibly feel the want of in case of a separation.

Manasseh Cutler, *Life, Journals, and Correspondence* (edited by W. P. Cutler and Julia P. Cutler, Cincinnati, 1888), II, Appendix, 373–380 *passim.*

34. Down the Mississippi (1791)

BY JOHN POPE

Pope served as a subaltern for a brief period during the Revolution, but he is remembered chiefly for his journey in the West and South during 1790–1791, and for the lively account of his travels which he published soon afterwards. — For travels in the West, see McMaster, *History of the United States*, I *passim*; Channing and Hart, *Guide*, § 24. — For Spanish domination in Louisiana, see Charles Gayarré, *Louisiana*, III. — For a later journey on western rivers, see No. 137 below.

MARCH 4th. 1791. Proceeded down the *Ohio* in Company with a *Frenchman*, who was taking his *American* Wife and Children along with him to *Langue la Graisse*, or, the *Greasy Bent*; now called by the *Spaniards Neuvo Madrid*, on the Western Side of the *Missisippi*. . . .

March 12th. 1791. Breakfasted and dined with *Signior Pedro Foucher*, Commandant at *Neuvo Madrid*. The Garrison consist of about Ninety Men, who are well supplied with Food and Raiment: they have an excellent Train of Artillery, which appears to be their chief Defence — Two Regular Companies of Musqueteers with charged Bayonets might take this Place. Of this Opinion is the Commandant himself, who complains that he is not sufficiently supported — He is a *Creole* of *French* Extraction, of *Patagonian* Size, polite in his Manners, and of a most noble Presence. On the Evening of this Day embarked in a Boat called the Smoke-House, bound to *New Orleans*, and anchored on the *Georgian* Shore, about Thirty Miles below *Madrid*. . . .

14th. The Trees on the Margin of the River in Verdue. . . . 8 o'Clock at Night one of Mr. *Craig*'s Tobacco Boats, with Forty Hogsheads of Tobacco, and a large Quantity of Flour and Plank passed us whilst we lay in Harbour, she had lost her Rudder and sprung a Leak. In this Situation, with only three Hands on Board, they implored our Aid, which through prudential Motives was denied.

15th. At Sunrise espied the *Frenchman*'s Boat in good Harbour and uninjured; but different was the Fate of Mr. *Craigs*, which had sprung a Leak in her Bow and appeared to be stranded opposite to the second *Chickasaw* Bluff, where the River is about Four Hundred Yards wide. At 9 o'Clock we viewed the third *Chickesaw* Bluff, opposite to the *Bayon*[*u*]*e St. John*, where the River is not quite Four Hundred Yards wide. The Colours of this Bluff are white, red, yellow, blue, grey, black, brown, purple, &c. Here the *Chickasaws* once had a small

Pottery — Upon this Bluff is the most eligible Situation for a Town which I have as yet seen on the Banks of the *Missisippi*. — Just under this Bluff, within six Feet of the Shore, a first Rate Man of War might ride in Safety, unassailed by Winds, &c. . . . From the lower End of this Bluff, the River suddenly opens to the amazing width of four, five and sixth Miles. Upon Examination, I find our Crew consist of one *Irishman*, one *Anspacher*, one *Kentuckean*, one Person born on *Sea*, one *Virginian*, and one *Welchman*; six Total. At 12 o'Clock came on a violent Storm, which with Difficulty we evited, by exerting every Nerve to gain the Shore.

March 17th. 1791. The *Irishman* in Honour of St. *Patrick*, purloined all our Brandy, Sugar and Eggs to make a Tub of Egg-Nog, of which he drank so copiously, that whilst at the Helm, he insensibly run the Vessel into a strong Eddy, to get her out of which, employed all Hands in hard Labour the Balance of the Day.

March 18th. At Sunrise came on a slight Snow, which formed a curious Contrast to the Verdure of the Trees — All the Afternoon of this Day we run due North.

19th. At 8 o'Clock we run due South — All this Day the Weather was intensely cold, the Wind blowing from North. . . . At 1 o'Clock we were hailed by a *Pennsylvanian* and a Lad in a *Peroch*, laden with Bear and Buffaloe Meat, taken on the St. *Francis* River, and bound up the *Osarque* River, where there is a Settlement of Thirty Families about Thirty Miles from its Mouth. At 3 o'Clock overtaken by two Boats laden with Flour and Tobacco.

20th. At Sunrise drew up a Kitten of about Twenty lbs. Weight, which with the Help of GOD and an *Irish* Cook, we made into most excellent Broth. At 9 o'Clock came up with two large *Pittsburg* Boats at Anchor laden with Flour, on the Shore, opposite to which, was a Concourse of *Osarque Indians*. . . .

21st. At 8 o'Clock descried a Keel bottom'd Boat with a square Sail, bound to *New Madrid* — Her Progress under a fair Wind was at the Rate of two and a half Miles per Hour, which might have been accelerated by the Addition of Oars. . . . At Sunset, three of Mr. *Craig*'s Tobacco Boats came up with us whilst we lay in Harbour, the fourth being still under the Command of the Rear Admiral, whose Intrepidity hath often endangered his Vessel by opposing the poor *Planters* and *Sawyers*, who have taken up their Residence in this spacious River. . . .

22d. At Sunrise, espied a Vessel of General *Wilkinson*'s, under the

Command of Captain *Swaine*, bound to *New Orleans* — At 8 o'Clock we had in View six Sail of the Line. . . .

24th. At Break of Day espied the Walnut Hills about ten Miles below the *Yasous* River, which his Catholic Majesty limits as his Boundary, and below which, his Vicegerents say, that Citizens of the *United States* shall not inhabit, unless they throw themselves under the Laws, Banners and Protection of the King of *Spain*. . . .

23d. . . . At 2 o'Clock I went on Board the Governor of *Natchez*' Barge, his Name is *Gayoso*. Here I was regaled with delicious Nuts and excellent Wines. This Gentleman has a majestic Deportment, softened by Manners the most engaging and polite. Having been brought up at the Court of *London*, he is well acquainted with the Etiquette of Mortals who move in the more exalted and splendid Scenes of Life. He had in Company with him two Victualling Boats and an armed Schooner, laden with military Stores. I could not ascertain their Destination, tho' it was probably to the *Walnut* Hills. His Soldiery including Mariners and Mechanics, did not exceed one Hundred Men. . . .

24th. At Sunrise, we shot the Grand Gulph, opposite to which, on either Side, the Cane grows to the enormous Height of Forty and sometimes Forty-five Feet. At 8 o'Clock an impervious Fog arose, so as to prevent a Discovery of *Sawyers* and other Obstacles not more than ten Feet from us. It might with Propriety have been called "Darkness visible." At 9 o'Clock passed the *Bayon*[*u*]*e Pierre*, on the Banks of which are three small Houses and about Thirty Acres of Ground under Cultivation — About ten Miles higher up the Country it is pretty thickly inhabited by *Virginians*, *Carolineans*, *Georgians*, and some few Stragglers from the Eastern States.

26th. At Sunrise came in Sight of the Town of *Natchez*, situate on the Eastern Bank of the River. It contains about an Hundred Houses, and is the Metropolis of the District and Residence of *Don Gayoso*, the Governor last mentioned. In this Town and its Vicinage we continued about a Week.

27th. On *Sunday* I took a View of the Governor's Palace, as also of the Fort; which from its elevated Situation has a fine Command of the River for about a Mile up, and double that Distance down it: though I think it might be assailed with Success by a single Regiment, or taken by Surprize with a less Number. The lying of the back Ground, and the Paucity and Insignificance of the Garrison would favour either Plan.

They have a good Train of Artillery, though very injudiciously arranged; the back Part of the Fort being *pregnable* to a Dozen Men.

28th. Paid a Visit to *Don Granfrey*, Commandant of the Regular Forces throughout the *Natchez* District: he lives about Two Miles from Town. Here I was regaled with different Kinds of Fruits, Wines and Parmesan Cheese, which were succeedent to a very good substantial Dinner. . . .

29th. At the *Natchez* I observed an Advertisement relating to a stray Horse, for the Setting up of which, the Owner was obliged to get the previous Sanction of a Magistrate. An Inhabitant under the Jurisdiction of *Spain* may be said to be,

"*Homo sine Spe, sine Sede, sine Re.*"

The Soil of this District is better adapted to the Growing of Corn, Rice and Indigo, than of Tobacco, the Cultivation of which, is gradually falling into Disuse; as an Admittance of it into the King's Store is now positively refused, from some political Motives, which the Governor thinks himself under no Obligation to communicate; though the present Crop was raised under a Confidence reposed in his Promise, to receive and allow eight Dollars per Hundred for it.

30th. At 10 o'Clock discovered the Wreck of one of Mr. *Craig*'s Tobacco Boats, which he had directed to be got under Way. Into this Boat, exclusive of Tobacco, he had stowed a considerable Quantity of Bacon, Butter, Flour and Plank — He lost almost the whole. His Boatsmen (for whom he now no longer had Occasion) appeared to bear his Loss with great Composure and Christian Fortitude. . . .

31st. . . . At 3 o'Clock hailed by a Row Galley from *New Orleans*, bound to *New Madrid*. At 4 o'Clock espied the Long Reach, where the Eye may take in an uninterrupted Water Prospect of Twenty-three Miles. At our Entrance into the Long Reach we viewed the Red River, about a Quarter of a Mile wide, on the Western Side of the *Missisippi*; and three Miles below it the *Bayoue Chappaliere*, which taking its Leave of this River, disembogues its gentle Stream into the Gulph of *Mexico*, several Leagues from the Mouths of the *Missisippi*. . . .

[*April*] 2d. Hailed by two Perochs, one bound to the *Natchez*, the other to the *Bayoue Pierre*. For two Days past we have been much harrassed by *Musquettoes* — The poor *Indians* who go almost naked, construct an elevated Bed of Reeds, which they Suffumigate, so as to banish Insects of every Description from their Lodgements. Slight

whitewashed airy Buildings become more common on the Eastern Side of the River, and are, in general, occupied by People from the *United States*. Here are the most delightful Prospects that ever caught my View . . .

3d. At 10 o'Clock viewed *Point Coupee*, a Village Twenty-one Miles in Length, though narrow, consisting of inferiour Buildings, interspersed now and then with dwelling Houses, and Chapels of tolerable Elegance. At 4 o'Clock saw eight Country Seats on the Eastern Bank, and at the lower End of some high Bluffs, a large Building of extraordinary Workmanship, and a Dock-yard about Half a Mile below it. At 6 o'Clock viewed the *Alexandrian* Bluffs, from which on both Sides of the River there is a Continuation of beauteous Farms and elegant Buildings for the Distance of Sixty-one Miles. The general Width of the River all this Day is about three Quarters of a Mile, or rather less.

4th. About Noon espied the Suburbs of *New Orleans*, and at 2 o'Clock came abreast of the City on the Eastern Side of the River, in an Island formed by the *Missisippi* and the *Bayoue St. John*. . . .

John Pope, *A Tour through the Southern and Western Territories of the United States* (Richmond, 1792; reprinted for Charles L. Woodward, New York, 1888), 21–37 *passim*.

35. The Western Journey (1792)

BY GILBERT IMLAY

After serving as a captain in the Revolutionary army, Imlay emigrated to Kentucky, where he became a deputy-surveyor and an authority on the topography of the territory. — Bibliography: Winsor, *Narrative and Critical History*, VII, 527 ff.; McMaster, *History of the United States*, I–II *passim*; Channing and Hart, *Guide*, § 150. — For earlier accounts of the West, see *Contemporaries*, II, ch. xxii.

THE routes from the different Atlantic States to this country are various, as may be supposed. From the northern States it is through the upper parts of Pennsylvania to Pittsburg, and then down the river Ohio. The distance from Philadelphia to Pittsburg is nearly three hundred miles. From Lancaster about two hundred and thirty. The route through Redstone and by Pittsburg, both from Maryland and Virginia, is the most eligible, provided you have much bag-

gage; except you go from the southern and back counties of Virginia; then your best and most expeditious way is through the Wilderness. From Baltimore passing Old Town upon the Potowmac, and by Cumberland Fort, Braddock's road to Redstone Old Fort on the Monongahala, is about two hundred and forty miles; and from Alexandria to the same place by Winchester Old Town, and then the same route across the mountain is about two hundred and twenty miles. This last must be the most eligible for all Europeans who may wish to travel to this country, as the distance by land is shorter, the roads better, and the accommodations good; *i. e.* they are very good to Old Town which is one hundred and forty miles from Alexandria, and from thence to Redstone comfortable, and plentifully supplied with provisions of all sorts: the road over the mountain is rather rough, but no where in the least dangerous.

Travellers or emigrants take different methods of transporting their baggage, goods, or furniture, from the places they may be at to the Ohio, according to circumstances, or their object in coming to the country. For instance, if a man is travelling only for curiosity, or has no family or goods to remove, his best way would be to purchase horses, and take his route through the Wilderness; but provided he has a family or goods of any sort to remove, his best way, then, would be to purchase a waggon and team of horses to carry his property to Redstone Old Fort, or to Pittsburg, according as he may come from the northern or southern States. A good waggon will cost at Philadelphia about 10l. (I shall reckon every thing in sterling money for your greater convenience) and the horses about 12l. each; they would cost something more both at Baltimore and Alexandria. The waggon may be covered with canvas, and, if it is the choice of the people, they may sleep in it at nights with the greatest safety. But if they should dislike that, there are inns of accommodation the whole distance on the different roads. To allow the horses a plenty of hay and corn would cost about 1s. *per diem*, each horse; supposing you purchase your forage in the most œconomical manner, *i. e.* of the farmers, as you pass along, from time to time as you may want it, and carry it in your waggon; and not of innkeepers, who must have their profits. The provisions for the family I would purchase in the same manner; and by having two or three camp kettles, and stopping every evening when the weather is fine upon the brink of some rivulet, and by kindling a fire they may soon dress their food. There is no impediment to these kind of things, it is common

and may be done with the greatest security; and I would recommend all persons who wish to avoid expence as much as possible to adopt this plan. True, the charges at inns on those roads are remarkably reasonable, but I have mentioned those particulars as there are many unfortunate people in the world, to whom the saving of every shilling is an object, and as this manner of journeying is so far from being disagreeable, that in a fine season it is extremely pleasant.

Provisions in those countries are very cheap, beef, mutton, and pork, are something less than 2d. per lb.; dunghill fowls are from 4d. to 6d. each; duck, 8d.; geese and turkeys, 1s. 3d.; butter, 5d.; cheese, I will say nothing about, as there is very little good until you arrive in Kentucky. Flour is about 12s. 6d. per cwt.

The best way is to carry their tea and coffee from the place they may set out at; good green tea will be from 4s. 6d. to 6s. per lb.; souchong from 3s. to 5s.; coffee will cost from 1s. 3d. to 1s. 6d. per lb.; loaf sugar from $7\frac{1}{2}$d. to $10\frac{1}{2}$d. But I would not recommend their carrying much sugar, for as the back country is approached, the maple sugar is in abundance, and may be bought from 4d. to 6d. per lb. Such are the expences to be incurred travelling to this country by Redstone and Pittsburg.

The distance which one of those waggons may travel one day with another is little short of twenty miles. So that it will be a journey from Alexandria to Redstone Old Fort of eleven or twelve days, from Baltimore a day or two longer, and from Philadelphia to Pittsburg I should suppose it would require nearly twenty days; as the roads are not so good as from the two former places.

From these prices the expence of removing a family, from either of the sea ports I have mentioned to the Ohio, may be computed with tolerable exactitude.

The best time for setting out for this country from any of the Atlantic ports, is the latter end of either September or April. The autumn is perhaps the most eligible of the two; as it is most likely that the roads across the mountain will be drier, and provisions and forage are then both more plentiful and cheap than in the spring.

If this mode should not suit the convenience of the party, by reason of their not wanting a waggon or horses when they arrive in this country, they may have their goods brought out to Redstone Old Fort from Alexandria for 15s. per cwt. and in like proportion from Baltimore and Philadelphia.

At Redstone Old Fort, or Pittsburg, they can either buy a boat, which will cost them about 5s. per ton, or freight their goods to Kentucky for about 1s. per cwt. There is no regular business of this sort; but as there are always boats coming down the river, 1s. per cwt. is the common charge for freight. But more frequently when there is boat room to spare, it is given to such as are not able to purchase a boat, or have not a knowledge of the navigation. However, that is a business which requires no skill, and there are always numbers of people coming down, who will readily conduct a boat for the sake of a passage.

The distance from Philadelphia by land to Kentucky is between seven and eight hundred miles; from Baltimore nearly seven hundred; nearly six hundred from Alexandria; and upwards of five hundred from Richmond. The roads and accommodations are tolerably good to the borders of the Wilderness; through which it is hardly possible for a carriage to pass, great part of the way being over high and steep hills, upon the banks of the rivers and along defiles, which in some places seem to threaten you at every step with danger. This is the only route the people coming from the upper parts of Virginia and North Carolina can take at present to get into the country; the gap of Cumberland mountain being the only place it can be passed without the greatest difficulty. The opening the Tenasee will afford a convenient communication with the Mississippi. The Wilderness, which was formerly two hundred miles through, without a single habitation, is reduced from the settlement of Powel's Valley, to nearly one half of that distance; and it is to be expected that in a few years more that the remainder of the distance will afford settlements for the accommodation of people travelling that route; when a good road may be made quite to Kentucky. The canals I have spoken of which are cutting on the Potowmac, and the removal of the obstructions in Cheat river, will render the passage from Alexandria, or the federal city to the Ohio, both cheap and easy.

G[ilbert] Imlay, *A Topographical Description of the Western Territory of North America* (London, 1792), 141–148.

36. "Peopling the Western Country" (1785)

BY PHILIP FRENEAU

Freneau was a man of literary versatility, chiefly remembered for his abuse of Washington while editor of the *National Gazette* and Jefferson's protégé. — For Freneau, the poet, see Duyckinck, *Cyclopædia of American Literature*, I, 327–348; Tyler, *Literary History of the Revolution*, I, 171–183, 413–425.

TO western woods, and lonely plains,
Palemon from the crowd departs,
Where nature's wildest genius reigns,
To tame the soil, and plant the arts —
What wonders there shall freedom show,
What mighty *States* successive grow!

From Europe's proud, despotic shores
Hith[illegible] the stranger takes his way,
And [illegible] our new found world explores
A happier soil, a milder sway,
Where no proud despot holds him down,
No slaves insult him with a crown.

What charming scenes attract the eye,
On wild Ohio's savage stream!
Here nature reigns, whose works outvie
The boldest pattern art can frame;
Here ages past have roll'd away,
And forests bloom'd — but to decay.

From these fair plains, these rural seats,
So long conceal'd, so lately known,
The unsocial Indian far retreats,
To make some other clime his own,
Where other streams, less pleasing, flow,
And darker forests round him grow.

Great Sire of floods! whose varied wave
Through climes and countries takes its way,
To whom creating nature gave
Ten thousand streams to swell thy sway!
No longer shall *they* useless prove,
Nor idly through the forests rove;

Nor longer shall thy princely flood
From distant lakes be swell'd in vain,
Nor longer through a darksome wood
Advance, unnotic'd, to the main,
  Far other ends the fates decree —
  And commerce plans new freights for thee.

While virtue warms the generous breast,
Here heaven-born freedom shall reside,
Nor shall the voice of war molest,
Nor Europe's all-aspiring pride —
  Here reason shall new laws devise,
  And order from confusion rise.

Forsaking kings and regal state,
(A debt that reason deems amiss)
The traveller owns, convinc'd thoug[illegible]iate,
No realm so free, so blest as this —
  The *east* is half to slaves consign'd,
  And half to slavery more refin'd.

O come the time, and haste the day,
When man shall man no longer crush,
When reason shall enforce her sway,
Nor these fair regions raise our blush,
  Where still the African complains,
  And mourns his yet unbroken chains.

Far brighter scenes, a future age,
The muse predicts, these States shall hail,
Whose genius shall the world engage,
Whose deeds shall over death prevail,
  And happier systems bring to view
  Than all the eastern sages knew.

Philip Freneau, *Stanzas on the Emigration to America, and Peopling the Western Country*, in *Poems* (Philadelphia, 1786), 378–380.

PART III

THE CONFEDERATION

CHAPTER VI — A ROPE OF SAND

37. The Revenue Plan (1783)

BY DELEGATE JOSEPH JONES

Jones was a member of Congress from Virginia and a friend of Washington, to whom this letter was addressed. — Bibliography: Channing and Hart, *Guide*, § 151. — For finances during the Revolution, see *Contemporaries*, II, Nos. 206–208.

PHILADA, 27th February, 1783.

. . . CONGRESS have been for some time past almost wholly employed in devising some general and adequate funds for paying the interest and, in time, sinking the principal, of the public debt, as well as to provide for future loans, should the continuance of the war render borrowing necessary. Difficulties, apparently insurmountable, presented themselves in almost every stage of the business, owing to the different circumstances of the several States, and the necessity that the subjects selected for taxation to form the funds should operate throughout them all, generally and equally, or nearly so, to make them acceptable. After opening and discussing a variety of questions, no object has been yet discovered, to which so few objections lie, as the impost duty formerly recommended to the States, and which, with some alterations from the former plan to obviate the objections that have been raised, has been agreed to in a Committee of the Whole, and will I think be finally adopted. What this duty when granted by the States will amount to annually is very uncertain. In time of peace there can be no doubt but it will be considerable, and for years prove an increasing fund; but it is thought by no means adequate to the payment of the interest and sinking the principal of the public debt. Other means

have, therefore, been considered in aid of the impost duty — land, polls, salt, wine, spirits, tea, &c. These last being what are called luxuries it is thought may bear a small tax in addition to the impost duty. I fear at present that few of these will go down, and that we shall be obliged at last to rest the payment of the public debt upon the mode prescribed by the Confederation — (requisitions, proportioned on the States according to the value of land, buildings, &c. — a plan for obtaining which scale of proportion has been digested and agreed upon in Congress, and will immediately go on to the States,) and the produce of the 5 per cent. duty, if granted. A small poll tax, did not the Constitution of Maryland stand in the way, might probably succeed, as it would operate more equally perhaps than any other, and may be adopted, allowing Maryland to substitute some other adequate and productive fund in its room. A short time will bring to a conclusion our efforts on this business, which I am in hopes will terminate in the adoption of such measures as may be acceptable to the States, and produce the granting such funds as will restore public credit, give value to the great mass of depreciated certificates, and enable Congress to render to every class of the public creditors ample justice. Congress have the purest intentions towards the public creditors, and will use their best exertions in obtaining from the States the means to do them speedy and complete justice. Such is their opinion of the merit and services of the army, that did it not wound the sense of justice, they want not the inclination to give them the preference to any other class of creditors. But equity and sound policy forbid discriminations. One ground of discontent in the army, and on which they found the opinion that justice is not intended to be done to them, is the delay in complying with their requests. But with those acquainted with the deliberations of public bodies, and especially if so mixed a body as that of Congress, allowances will be made for slow determination. Every class of public creditors must know the inability of Congress to pay their demands, unless furnished with the means by the several States, and the exertions of that body have not been wanting heretofore to obtain the means, though they have not produced the desired effect. The measures now digesting will, there is good reason to expect, prove more efficacious for obvious reasons.

Reports are freely circulated here that there are dangerous combinations in the army, and within a few days past it has been said that they are about to declare that they will not disband until their demands are

complied with. I trust these reports are not well founded, and that the army will exercise awhile longer at least, that patient forbearance which hath hitherto so honourably distinguished them. . . .

Joseph Jones, *Letters*, 1777–1787 (edited by Worthington Chauncey Ford, Washington, 1889), 97–99.

38. The Newburg Addresses (1783)

BY MAJOR JOHN ARMSTRONG

Armstrong served through the Revolution, rising to the rank of major. Later he was a United States senator and minister to France, and closed his career rather ingloriously as secretary of war during the War of 1812. His anonymous communications to his fellow-officers, in March, 1783, were true pictures of unmerited, though perhaps inevitable, neglect; but the methods of redress proposed by him were inadmissible. — Bibliography: Winsor, *Narrative and Critical History*, VI, 745–746. — For the condition of the army during the Revolution, see *Contemporaries*, II, ch. xxviii.

No. I.

A MEETING of the general and field officers is requested at the Public Building on Tuesday next, 11 o'clock. — A commissioned officer from each company is expected, and a delegate from the medical staff. The object of this convention is to consider the late letter from our representatives in Philadelphia, and what measure (if any) should be adopted to obtain that redress of grievances which they seem to have solicited in vain.

No. II.

TO THE OFFICERS OF THE ARMY.

Gentlemen,

A FELLOW-SOLDIER, whose interest and affections bind him strongly to you, whose past sufferings have been as great, and whose future fortunes may be as desperate as yours — would beg leave to address you.

Age has its claims, and rank is not without its pretensions to advise; but though unsupported by both, he flatters himself, that the plain language of sincerity and experience, will neither be unheard nor unregarded.

Like many of you, he loved private life, and left it with regret. — He left it, determined to retire from the field, with the necessity that called

him to it, and not till then, — not till the enemies of his country, the slaves of power and the hirelings of injustice, were compelled to abandon their schemes, and acknowledge America as terrible in arms, as she had been humble in remonstrance. — With this object in view, he has long shared in your toils, and mingled in your dangers, — he has felt the cold hand of poverty, without a murmur, and has seen the insolence of wealth, without a sigh. — But too much under the direction of his wishes, and sometimes weak enough to mistake desire for opinion, he has till lately, very lately, believed in the justice of his country. — He hoped that as the clouds of adversity scattered, and as the sunshine of peace and better fortune broke in upon us, — the coldness and severity of government would relax, and that more than justice, that gratitude, would blaze forth upon those hands, which had upheld her, in the darkest stages of her passage, from impending servitude, to acknowledged independence.

But faith has its limits as well as temper, and there are points, beyond which neither can be stretched without sinking into cowardice, or plunging into credulity. — This, my friends, I conceive to be your situation — hurried to the very verge of both, another step would ruin you for ever. — To be tame and unprovoked, when injuries press hard upon you, is more than weakness, but to look up for kinder usage, without one manly effort of your own, would fix your character, and shew the world, how richly you deserve those chains you broke. To guard against this evil, let us take a view of the ground upon which we now stand, and from thence carry our thoughts forward, for a moment, into the unexplored field of expedient.

After a pursuit of seven long years, the object for which we set out, is at length brought within our reach. — Yes, my friends, that suffering courage of yours, was active once ; it has conducted the United States of America, through a doubtful and a bloody war — it has placed her in the chair of independency, and peace returns again to bless — Whom? A country willing to redress your wrongs, cherish your worth, and reward your services? — A country courting your return to private life, with tears of gratitude and smiles of admiration? — longing to divide with you that independency which your gallantry has given, and those riches which your wounds have preserved? — Is this the case? Or is it rather a country that tramples upon your rights, disdains your cries, and insults your distresses? — have you not more than once suggested your wishes, and made known your wants to Congress (wants and

wishes which gratitude and policy should have anticipated, rather than evaded;) and have you not lately, in the meek language of entreating memorials, begged from their justice what you could no longer expect from their favour? How have you been answered? — let the letter which you are called to consider to-morrow, make reply! — If this then be your treatment, while the swords you wear are necessary for the defence of America, what have you to expect from peace; when your voice shall sink, and your strength dissipate by division — when those very swords, the instruments and companions of your glory, shall be taken from your sides, and no remaining mark of military distinction left, but your wants, infirmities and scars. — Can you then consent to be the only sufferers by this revolution, — and retiring from the field, grow old in poverty, wretchedness and contempt? — Can you consent to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honor? — If yon [you] can — Go — and carry with you, the jest of Tories, and the scorn of Whigs — the ridicule, and what is worse — the pity of the world. — Go — starve and be forgotten. — But if your spirits should revolt at this, if you have sense enough to discover, and spirit sufficient to oppose tyranny, under whatever garb it may assume — whether it be the plain coat of republicanism — or the splendid robe of royalty; — if you have yet learned to discriminate, between a people and a cause — between men and principles, — awake, attend to your situation, and redress yourselves. If the present moment be lost, every future effort is in vain — your threats then, will be as empty, as your entreaties now. I would advise you therefore, to come to some final opinion, of what you can bear and what you will suffer. If your determination be in any proportion to your wrongs — carry your appeal from the justice to the fears of government. Change the milk and water stile of your last memorial. — Assume a bolder tone, decent, but lively, spirited and determined; — and suspect the man who would advise to more moderation, and longer forbearance. Let two or three men, who can feel as well as write, be appointed to draw up your last remonstrance (for I would no longer give it the sueing, soft, unsuccessful epithet of memorial.) Let it represent in language, that will neither dishonour you by its rudeness, nor betray you by its fears — what has been promised by Congress, and what has been performed; — how long and how patiently you have suffered — how little you have asked, and how much of that little has been denied. — Tell them, that though you

were the first, and would wish to be last, to encounter danger — though despair itself can never drive you into dishonor, it may drive you from the field. — That the wound often irritated and never healed, may at length become incurable, — and that the slightest mark of indignity from Congress now, must operate like the grave, and part you forever. That in any political event, the army has its alternative. — If peace, that nothing shall separate you from your arms but death. — If war, that courting the auspices, and inviting the direction of your illustrious leader, you will retire to some yet unsettled country, smile in your turn, "and mock when their fear cometh on." — But let it represent also, that should they comply with the request of your late memorial, it would make you more happy, and them more respectable. — That while the war should continue, you would follow their standard in the field, — and that when it came to an end, you would withdraw into the shade of private life, and give the world another subject of wonder and applause — an army victorious over its enemies — victorious over itself.

A Collection of Papers, relative to Half-Pay and Commutation of Half-Pay, granted by Congress to the Officers of the Army (Fishkill, 1783), 16–19.

39. Inadequacy of the Confederation (1784)

BY DELEGATE JACOB READ

Read was a native of South Carolina who, after serving as a major of volunteers in the Revolution, became a delegate to the Continental Congress, a Federalist, a United States senator, and a judge of the United States district court. This is an extract from a letter addressed to Washington. — Bibliography: Channing and Hart, *Guide*, §§ 149–151, 153.

Annapolis, 13 August, 1784.

. . . I THANK you for your opinions. They concur perfectly with my own sentiments on those subjects, and, I am sorry to add, there is too much truth in your observation on the management of our affairs. Let the blame fall where it ought, — on those, whose attachment to State views, State interests, and State prejudices, is so great, as to render them eternally opposed to every measure that can be devised for the public good. The evil is not, however, as yet, entirely incurable. I hope and trust the next Congress will be more willing and able to avert the mischiefs that appear to me to threaten the Union. If that cannot be done, we must look about, and see if some more efficient form of govern-

ment cannot be devised. I have long entertained my doubts of the present form, even if the States were all disposed to be honest, and am sorry to say, such a conclusion would, however, be against premises. I will determine nothing rashly, and hope for the best. My most strenuous endeavours shall not be wanting to secure the peace and stability of the Federal Union, and the government, as long as it is possible; but, I own, I shall not hesitate to join in attempting another, when I see, from experience, that we have instituted is not adequate to the purposes for which it was ordained. Congress either have too little or too much power. To be respectable, they must be enabled to enforce an obedience to their ordinances; else why the farce of enacting what no State is bound to execute? If this is denied, Congress is, I think, an unnecessary and useless burden, and should not hold from the individual States a great many powers, which they cannot exercise, and had better be remitted to the individual sovereignties. Of this, more at another time. I ask your Excellency's pardon for so long trespassing on your patience at this time, without treating the subject more copiously and conclusively.

Jared Sparks, editor, *Correspondence of the American Revolution* (Boston, 1853), IV, 77–78.

40. How the States Treated the Confederation (1781–1787)

BY DELEGATE JAMES MADISON (1787)

Madison's notes on the debates of the Congress of the Confederation and of the Federal Convention are invaluable and almost unique records of these critical episodes. This extract is from a speech in the convention against the New Jersey Plan. That plan left the relationship between the states and the central government practically unchanged. — For Madison, see Winsor, *Narrative and Critical History*, VII, 315; *Contemporaries*, II, No. 211; below, No. 65. — Bibliography: E. E. Sparks, *Topical Reference Lists*, § 40; Channing and Hart, *Guide*, §§ 149, 151, 153.

. . . IN some treaties, indeed, it is expressly stipulated, that a violation of particular articles shall not have this consequence, and even that particular articles shall remain in force during war, which is in general understood to dissolve all subsisting treaties. But are there any exceptions of this sort to the Articles of Confederation? So far from it,

that there is not even an express stipulation that force shall be used to compel an offending member of the Union to discharge its duty. He [Mr. Madison] observed, that the violations of the Federal Articles had been numerous and notorious. Among the most notorious was an act of New Jersey herself; by which she *expressly refused* to comply with a constitutional requisition of Congress, and yielded no further to the expostulations of their deputies, than barely to rescind her vote of refusal, without passing any positive act of compliance. He did not wish to draw any rigid inferences from these observations. He thought it proper, however, that the true nature of the existing Confederacy should be investigated, and he was not anxious to strengthen the foundations on which it now stands.

Proceeding to the consideration of Mr. Patterson's plan, he stated the object of a proper plan to be twofold — first, to preserve the Union; secondly, to provide a government that will remedy the evils felt by the states, both in their united and individual capacities. Examine Mr. Patterson's plan, and say whether it promises satisfaction in these respects.

1. Will it prevent the violations of the law of nations and of treaties, which, if not prevented, must involve us in the calamities of foreign wars? The tendency of the states to these violations has been manifested in sundry instances. The files of Congress contain complaints, already, from almost every nation with which treaties have been formed. Hitherto, indulgence has been shown to us. This cannot be the permanent disposition of foreign nations. A rupture with other powers is among the greatest of national calamities; it ought, therefore, to be effectually provided, that no part of a nation shall have it in its power to bring them on the whole. The existing Confederacy does not sufficiently provide against this evil. The proposed amendment to it does not supply the omission. It leaves the will of the states as uncontrolled as ever.

2. Will it prevent encroachments on the federal authority? A tendency to such encroachments has been sufficiently exemplified among ourselves, as well as in every other confederated republic, ancient and modern. By the Federal Articles, transactions with the Indians appertain to Congress, yet in several instances the states have entered into treaties and wars with them. In like manner, no two or more states can form among themselves any treaties, &c., without the consent of Congress; yet Virginia and Maryland, in one instance — Pennsylvania and New Jersey, in another — have entered into compacts

without previous application or subsequent apology. No state, again, can of right raise troops in time of peace without the like consent. Of all cases of the league, this seems to require the most scrupulous observance. Has not Massachusetts, notwithstanding, (the most powerful member of the Union,) already raised a body of troops? Is she not now augmenting them, without having even deigned to apprise Congress of her intentions? In fine, have we not seen the public land dealt out to Connecticut to bribe her acquiescence in the decree constitutionally awarded against her claim on the territory of Pennsylvania? — for no other possible motive can account for the policy of Congress in that measure. If we recur to the examples of other confederacies, we shall find in all of them the same tendency of the parts to encroach on the authority of the whole. He then reviewed the Amphictyonic and Achæan confederacies, among the ancients, and the Helvetic, Germanic, and Belgic, among the moderns; tracing their analogy to the United States in the constitution and extent of their federal authorities; in the tendency of the particular members to usurp on these authorities, and to bring confusion and ruin on the whole. He observed, that the plan of Mr. Patterson, besides omitting a control over the states, as a general defence of the federal prerogatives, was particularly defective in two of its provisions. In the first place, its ratification was not to be by the people at large, but by the *legislatures*. It could not, therefore, render the acts of Congress, in pursuance of their powers, even legally *paramount* to the acts of the states. And, in the second place, it gave to the federal tribunal an appellate jurisdiction only even in the criminal cases enumerated. The necessity of any such provision supposed a danger of undue acquittal in the state tribunals: of what avail would an appellate tribunal be after an acquittal? Besides, in most, if not all, of the states, the executives have, by their respective *constitutions*, the right of pardoning: how could this be taken from them by a legislative ratification only?

3. Will it prevent trespasses of the states on each other? Of these, enough has been already seen. He instanced acts of Virginia and Maryland, which gave a preference to their own citizens in cases where the citizens of other states are entitled to equality of privileges by the Articles of Confederation. He considered the emissions of paper money, and other kindred measures, as also aggressions. The states, relatively to one another, being each of them either debtor or creditor, the creditor states must suffer unjustly from every emission by the debtor states. We have seen retaliating acts on the subject, which threatened danger,

not to the harmony only, but the tranquillity of the Union. The plan of Mr. Patterson, not giving even a negative on the acts of the states, left them as much at liberty as ever to execute their unrighteous projects against each other.

4. Will it secure the internal tranquillity of the states themselves? The insurrections in Massachusetts admonished all the states of the danger to which they were exposed. Yet the plan of Mr. Patterson contained no provisions for supplying the defect of the Confederation on this point. According to the republican theory, indeed, right and power, being both vested in the majority, are held to be synonymous. According to fact and experience, a minority may, in an appeal to force, be an overmatch for the majority;—in the first place, if the minority happen to include all such as possess the skill and habits of military life, with such as possess the great pecuniary resources, one third may conquer the remaining two thirds; in the second place, one third of those who participate in the choice of rulers may be rendered a majority by the accession of those whose poverty disqualifies them from a suffrage, and who, for obvious reasons, must be more ready to join the standard of sedition than that of established government; and, in the third place, where slavery exists, the republican theory becomes still more fallacious.

5. Will it secure a good internal legislation and administration to the particular states? In developing the evils which vitiate the political system of the United States, it is proper to take into view those which prevail within the states individually, as well as those which affect them collectively; since the former indirectly affect the whole, and there is great reason to believe that the pressure of them had a full share in the motives which produced the present Convention. Under this head he enumerated and animadverted on—first, the multiplicity of the laws passed by the several states; secondly, the mutability of their laws; thirdly, the injustice of them; and, fourthly, the impotence of them;—observing that Mr. Patterson's plan contained no remedy for this dreadful class of evils, and could not therefore be received as an adequate provision for the exigencies of the community.

6. Will it secure the Union against the influence of foreign powers over its members? He pretended not to say that any such influence had yet been tried: but it was naturally to be expected that occasions would produce it. As lessons which claimed particular attention, he cited the intrigues practised among the Amphictyonic confederates, first by the kings of Persia, and afterwards, fatally, by Philip of

Macedon; among the Achæans, first by Macedon, and afterwards, no less fatally, by Rome; among the Swiss, by Austria, France, and the lesser neighboring powers; among the members of the Germanic body, by France, England, Spain, and Russia; and in the Belgic republic, by all the great neighboring powers. The plan of Mr. Patterson, not giving to the general councils any negative on the will of the particular states, left the door open for the like pernicious machinations among ourselves.

7. He begged the smaller states, which were most attached to Mr. Patterson's plan, to consider the situation in which it would leave them. In the first place, they would continue to bear the whole expense of maintaining their delegates in Congress. It ought not to be said that, if they were willing to bear this burden, no others had a right to complain. As far as it led the smaller states to forbear keeping up a representation, by which the public business was delayed, it was evidently a matter of common concern. An examination of the minutes of Congress would satisfy every one, that the public business had been frequently delayed by this cause; and that the states most frequently unrepresented in Congress were not the larger states. He reminded the Convention of another consequence of leaving on a small state the burden of maintaining a representation in Congress. During a considerable period of the war, one of the representatives of Delaware, in whom alone, before the signing of the Confederation, the entire vote of that state, and after that event one half of its vote, frequently resided, was a citizen and resident of Pennsylvania, and held an office in his own state incompatible with an appointment from it to Congress. During another period, the same state was represented by three delegates, two of whom were citizens of Pennsylvania, and the third a citizen of New Jersey. These expedients must have been intended to avoid the burden of supporting delegates from their own state. But whatever might have been the cause, was not, in effect, the vote of one state doubled, and the influence of another increased by it? In the second place, the coercion on which the efficacy of the plan depends can never be exerted but on themselves. The larger states will be impregnable, the smaller only can feel the vengeance of it. He illustrated the position by the history of the Amphictyonic confederates; and the ban of the German empire. It was the cobweb which could entangle the weak, but would be the sport of the strong.

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), V, 207–210.

41. Defects of the Confederation (1789)

BY REVEREND JEDIDIAH MORSE

Morse was an orthodox New England clergyman who early in life became prominent as a student in geographical subjects, gaining the title of "Father of American Geography." His later life found him interested in the Indians and in a religious controversy against Unitarianism. He was father of Samuel F. B. Morse, of telegraph fame (see No. 168 below). — Bibliography as in No. 40 above.

NO sooner was peace restored by the definitive treaty, and the British troops withdrawn from the country, than the United States began to experience the defects of their general government. While an enemy was in the country, fear, which had first impelled the colonists to associate in mutual defence, continued to operate as a band of political union. It gave to the resolutions and recommendations of congress the force of laws, and generally commanded a ready acquiescence on the part of the state legislatures. Articles of confederation and perpetual union had been framed in congress, and submitted to the consideration of the states, in the year 1778. . . .

These articles however were framed during the rage of war, when a principle of common safety supplied the place of a coercive power in government; by men who could have had no experience in the art of governing an extensive country, and under circumstances the most critical and embarrassing. To have offered to the people, at that time, a system of government armed with the powers necessary to regulate and controul the contending interests of thirteen States, and the possessions of millions of people, might have raised a jealousy between the states or in the minds of the people at large, that would have weakened the operations of war, and perhaps have rendered a union impracticable. Hence the numerous defects of the confederation.

On the conclusion of peace, these defects began to be felt. Each state assumed the right of disputing the propriety of the resolutions of congress, and the interest of an individual state was placed in opposition to the common interest of the union. In addition to this source of division, a jealousy of the powers of congress began to be excited in the minds of people. . . .

. . . Jealousy of power had been universally spread among the people of the United States. The destruction of the old forms of governments, and the licentiousness of war had, in a great measure, broken their habits of obedience; their passions had been inflamed by the cry of

despotism; and like centinels, who have been suddenly surprized by the approach of an enemy, the rustling of a leaf was sufficient to give them an alarm. This spirit of jealousy . . . operated with other causes to relax the energy of our federal operations.

During the war, vast sums of paper currency had been emitted by Congress, and large quantities of specie had been introduced, towards the close of the war, by the French army, and the Spanish trade. This plenty of money enabled the states to comply with the first requisitions of Congress; so that during two or three years, the federal treasury was, in some measure, supplied. But when the danger of war had ceased, and the vast importations of foreign goods had lessened the quantity of circulating specie, the states began to be very remiss in furnishing their proportion of monies. The annihilation of the credit of the paper bills had totally stopped their circulation, and the specie was leaving the country in cargoes, for remittances to Great Britain; still the luxurious habits of the people, contracted during the war, called for new supplies of goods, and private gratification seconded the narrow policy of state-interest in defeating the operations of the general government.

Thus the revenues of Congress were annually diminishing; some of the states wholly neglecting to make provision for paying the interest of the national debt; others making but a partial provision, until the scanty supplies received from a few of the rich states, would hardly satisfy the demands of the civil list.

This weakness of the federal government, in conjunction with the flood of certificates or public securities, which Congress could neither fund nor pay, occasioned them to depreciate to a very inconsiderable value. . . .

Pennsylvania indeed made provision for paying the interest of her debts, both state and federal; assuming her supposed proportion of the continental debt, and giving the creditors her own state notes in exchange for those of the United States. The resources of that state are immense, but she has not been able to make punctual payments, even in a depreciated paper currency.

Massachusetts, in her zeal to comply fully with the requisitions of Congress, and satisfy the demands of her own creditors, laid a heavy tax upon the people. This was the immediate cause of the rebellion in that state, in 1786. But a heavy debt lying on the state, added to burdens of the same nature, upon almost every incorporation within it; a decline, or rather an extinction of public credit; a relaxation and corrup-

tion of manners, and a free use of foreign luxuries; a decay of trade and manufactures, with a prevailing scarcity of money; and, above all, individuals involved in debt to each other — these were the real, though more remote causes of the insurrection. . . .

But the loss of public credit, popular disturbances, and insurrections were not the only evils which were generated by the peculiar circumstances of the times. The emissions of bills of credit and tender laws, were added to the black catalogue of political disorders. . . .

The advantages the colonies had derived from bills of credit, under the British government, suggested to Congress, in 1775, the idea of issuing bills for the purpose of carrying on the war. And this was perhaps their only expedient. Money could not be raised by taxation — it could not be borrowed. The first emissions had no other effect upon the medium of commerce, than to drive the specie from circulation. But when the paper substituted for specie, had, by repeated emissions, augmented the sum in circulation, much beyond the usual sum of specie, the bills began to lose their value. The depreciation continued in proportion to the sums emitted, until seventy, and even one hundred and fifty nominal paper dollars, were hardly an equivalent of one Spanish milled dollar. Still from the year 1775 to 1781, this depreciating paper currency was almost the only medium of trade. It supplied the place of specie, and enabled Congress to support a numerous army; until the sum in circulation amounted to two hundred millions of dollars. But about the year 1780, specie began to be plentiful, being introduced by the French army, a private trade with the Spanish islands, and an illicit intercourse with the British garrison at New York. This circumstance accelerated the depreciation of the paper bills, until their value had sunk almost to nothing. In 1781, the merchants and brokers in the southern states, apprehensive of the approaching fate of the currency, pushed immense quantities of it suddenly into New England — made vast purchases of goods in Boston — and instantly the bills vanished from circulation. . . .

Industry likewise had suffered by the flood of money which had deluged the states. The prices of produce had risen in proportion to the quantity of money in circulation, and the demand for the commodities of the country. This made the acquisition of money easy, and indolence and luxury with their train of desolating consequences, spread themselves among all descriptions of people.

But as soon as hostilities between Great-Britain and America were

suspended, the scene was changed. The bills emitted by congress had long before ceased to circulate; and the specie of the country was soon drained off to pay for foreign goods, the importations of which exceeded all calculation. Within two years from the close of the war, *a scarcity of money* was the general cry. The merchants found it impossible to collect their debts, and make punctual remittances to their creditors in Great-Britain; and the consumers were driven to the necessity of retrenching their superfluities in living and of returning to their antient habits of industry and œconomy.

This change was however progressive and slow. In many of the states which suffered by the numerous debts they had contracted, and by the distresses of war, the people called aloud for emissions of paper bills to supply the deficiency of a medium. The depreciation of the continental bills, was a recent example of the ill effects of such an expedient, and the impossibility of supporting the credit of paper, was urged by the opposers of the measure as a substantial argument against adopting it. But nothing would silence the popular clamor; and many men of the first talents and eminence, united their voices with that of the populace. Paper money had formerly maintained its credit, and been of singular utility; and past experience, notwithstanding a change of circumstances, was an argument in its favor that bore down all opposition.

Pennsylvania, although one of the richest states in the union, was the first to emit bills of credit, as a substitute for specie. . . .

Notwithstanding a part of the money was loaned on good landed security, and the faith of that wealthy state pledged for the redemption of the whole at its nominal value . . . yet it has sunk to two-thirds of this value, in the few commercial transactions where it is received.

North Carolina, South Carolina, and Georgia had recourse to the same wretched expedient to supply themselves with money . . . But the bills they emitted shared a worse fate than those of Pennsylvania; they expelled almost all the circulating cash from the states; they lost a great part of their nominal value, they impoverished the merchants, and embarrassed the planters.

The state of Virginia had too much wisdom to emit bills; but tolerated a practice among the inhabitants of cutting dollars and smaller pieces of silver, in order to prevent it from leaving the state. This pernicious practice prevailed also in Georgia.

Maryland escaped the calamity of a paper currency. . . .

New-Jersey is situated between two of the largest commercial towns in America, and consequently drained of specie. This state also emitted a large sum in bills of credit, which served to pay the interest of the public debt; but the currency depreciated, as in other states.

Rhode-Island exhibits a melancholy proof of that licentiousness and anarchy which always follows a relaxation of the moral principles. In a rage for supplying the state with money and filling every man's pocket without obliging him to earn it by his diligence, the legislature passed an act for making one hundred thousand pounds in bills; a sum much more than sufficient for a medium of trade in that state, even without any specie. The merchants in Newport and Providence opposed the act with firmness; their opposition added fresh vigor to the resolution of the assembly, and induced them to enforce the scheme by a legal tender of a most extraordinary nature. They passed an act, ordaining that if any creditor should refuse to take their bills, for any debt whatever, the debtor might lodge the sum due, with a justice of the peace, who should give notice of it in the public papers; and if the creditor did not appear and receive the money within six months from the first notice, his debt should be forfeited. This act astonished all honest men; and even the promoters of paper money-making in other states, and on other principles, reprobated this act of Rhode-Island, as wicked and oppressive. But the state was governed by faction. During the cry for paper money, a number of boisterous ignorant men, were elected into the legislature, from the smaller towns in the state. Finding themselves united with a majority in opinion, they formed and executed any plan their inclination suggested; they opposed every measure that was agreeable to the mercantile interest; they not only made bad laws to suit their own wicked purposes, but appointed their own corrupt creatures to fill the judicial and executive departments. Their money depreciated sufficiently to answer all their vile purposes in the discharge of debts — business almost totally ceased, all confidence was lost, the state was thrown into confusion at home and was execrated abroad.

Massachusetts Bay had the good fortune, amidst her political calamities, to prevent an emission of bills of credit. New Hampshire made no paper; but in the distresses which followed her loss of business after the war, the legislature made horses, lumber and most articles of produce a legal tender in the fulfilment of contracts. . . . It must not however be omitted, that while the most flourishing commercial states introduced a paper medium, to the great injury of honest men, a bill for an emission

of paper in Connecticut, where there is very little specie, could never command more than one eighth of the votes of the legislature. . . .

The legislature of New York, a state that had the least necessity and apology for making paper money, as her commercial advantages always furnish her with specie sufficient for a medium, issued a large sum in bills of credit, which support their value better than the currency of any other state. Still the paper has raised the value of specie, which is always in demand for exportation, and this difference of exchange between paper and specie, exposes commerce to most of the inconveinencies [inconveniences] resulting from a depreciated medium.

Such is the history of paper money thus far; a miserable substitute for real coin, in a country where the reins of government are too weak to compel the fulfilment of public engagements; and where all confidence in public faith is totally destroyed.

While the states were thus endeavoring to repair the loss of specie, by empty promises, and to support their business by shadows, rather than by reality, the British ministry formed some commercial regulations that deprived them of the profits of their trade to the West Indies and to Great Britain. Heavy duties were laid upon such articles as were remitted to the London merchants for their goods, and such were the duties upon American bottoms, that the states were almost wholly deprived of the carrying trade. A prohibition . . . was laid upon the produce of the United States, shipped to the English West India Islands in American built vessels, and in those manned by American seamen. These restrictions fell heavy upon the eastern states, which depended much upon ship-building for the support of their trade; and they materially injured the business of the other states.

Without a union that was able to form and execute a general system of commercial regulations, some of the states attempted to impose restraints upon the British trade that should indemnify the merchant for the losses he had suffered, or induce the British ministry to enter into a commercial treaty and relax the rigor of their navigation laws. These measures however produced nothing but mischief. The states did not act in concert, and the restraints laid on the trade of one state operated to throw the business into the hands of its neighbour. Massachusetts, in her zeal to counteract the effect of the English navigation laws, laid enormous duties upon British goods imported into that state; but the other states did not adopt a similar measure; and the loss of business soon obliged that state to repeal or suspend the law. Thus when Penn-

sylvania laid heavy duties on British goods, Delaware and New Jersey made a number of free ports to encourage the landing of goods within the limits of those states; and the duties in Pennsylvania served no purpose, but to create smuggling.

Thus divided, the states began to feel their weakness. Most of the legislatures had neglected to comply with the requisitions of Congress for furnishing the federal treasury; the resolves of Congress were disregarded; the proposition for a general impost to be laid and collected by Congress was negatived first by Rhode Island, and afterwards by New-York. The British troops continued, under pretence of a breach of treaty on the part of America, to hold possession of the forts on the frontiers of the states, and thus commanded the fur trade. Many of the states individually were infested with popular commotions or iniquitous tender laws, while they were oppressed with public debts; the certificates or public notes had lost most of their value, and circulated merely as the objects of speculation; Congress lost their respectability, and the United States, their credit and importance.

. . . The old confederation was essentially defective. It was destitute of almost every principle necessary to give effect to legislation.

It was defective in the article of legislating over states, instead of individuals. . . . The confederation was also destitute of a sanction to its laws. When resolutions were passed in Congress, there was no power to compel obedience by fine, by suspension of privileges or other means. It was also di[e]stitute of a guarantee for the state governments. Had one state been invaded by its neighbour, the union was not constitutionally bound to assist in repelling the invasion, and supporting the constitution of the invaded state. The confederation was further deficient in the principle of apportioning the quotas of money to be furnished by each state; in a want of power to form commercial laws, and to raise troops for the defence and security of the union; in the equal suffrage of the states, which placed Rhode Island on a footing in Congress with Virginia; and to crown all the defects, we may add the want of a judiciary power, to define the laws of the union, and to reconcile the contradictory decisions of a number of independent judicatories.

Jedidiah Morse, *The American Geography* (Elizabethtown, 1789), 113–123 *passim*.

CHAPTER VII — TERRITORIAL QUESTIONS

42. The Real Question of the Public Lands (1780)

BY THOMAS PAINE

This attack on Virginia's unlimited claims to western territory followed closely upon an appeal to Congress from the settlers of Kentucky, denying Virginia's rights and asking to be taken into the Union as a state. — For Paine, see Winsor, *Narrative and Critical History*, VI, 269; *Contemporaries*, II, No. 159. — Bibliography: Channing and Hart, *Guide*, § 150. — For an earlier remonstrance, see *Contemporaries*, II, No. 205.

. . . THE condition of the vacant western territory of America makes a very different case to that of the circumstances of trade in any of the states. Those very lands, formed, in contemplation, the fund by which the debt of America would in a course of years be redeemed. They were considered as the common right of all; and it is only till lately that any pretension of claims has been made to the contrary. . . .

. . . in the year 1609, the South-Virginia company applied for new powers from the Crown of England, which were granted them in a new patent, and the boundaries of the grant enlarged; and this is the charter or patent on which some of the present Virginians ground their pretension to boundless territory. . . .

But whether the charter, as it is called, ought to be extinct or not, cannot make a question with us. All the parties concerned in it are deceased, and no successors, in any regular line of succession, appear to claim. Neither the London company of adventurers, their heirs or assigns, were in possession of the exercise of this charter at the commencement of the revolution; and therefore the state of Virginia does not, in point of fact, succeed to and inherit from the company. . . .

But if, as I before mentioned, there was a charter, which bore such an explanation, and that Virginia stood in succession to it, what would that be to us any more than the will of Alexander, had he taken it in his head to have bequeathed away the world? Such a charter or grant must have been obtained by imposition and a false representation of the

country, or granted in error, or both; and in any of, or all, these cases, the United States must reject the matter as something they can know nothing of, for the merits will not bear an argument, and the pretention of right stands upon no better ground. . . .

The claim being unreasonable in itself and standing on no ground of right, but such as, if true, must from the quarter it is drawn be offensive, has a tendency to create disgust and sour the minds of the rest of the states[.] Those lands are capable, under the management of the United States, of repaying the charges of the war, and some of which, as I shall hereafter show, might, I presume, be made an immediate advantage of.

I distinguish three different descriptions of lands in America at the commencement of the revolution. Proprietary or chartered lands, as was the case in Pennsylvania. Crown lands, within the described limits of any of the crown governments; and crown residuary lands that were without or beyond the limits of any province; and those last were held in reserve whereon to erect new governments and lay out new provinces; as appears to have been the design by lord Hillsborough's letter and the president's answer, wherein he says "with respect to the establishment of a new colony on the *back* of Virginia, it is a subject of too great political importance for me to presume to give an opinion upon; however permit me, my lord, to observe, that when that part of the country shall become populated it may be a wise and prudent measure."

The expression is a ["] *new colony* on the *back* of Virginia;" and referred to lands between the heads of the rivers and the Ohio. This is a proof that those lands were not considered within but beyond the limits of Virginia as a colony; and the other expression in the letter is equally descriptive, namely, "*We do not presume to say to whom our gracious sovereign shall grant his vacant lands.*" Certainly then, the same right, which, at that time, rested in the crown rests now in the more supreme authority of the United States. . . .

It must occur to every person on reflection that those lands are too distant to be within the government of any of the present states. . . .

It is only the United States, and not any single State, that can lay off new states and incorporate them in the union by representation; therefore the situation which the settlers on those lands will be in, under the assumed right of Virginia, will be hazardous and distressing, and they will feel themselves at last like alliens to the common wealth of Israel, their habitations unsafe and their title precarious. . . .

It seldom happens that the romantic schemes of extensive dominion

are of any service to a government, and never to a people. They assuredly end at last in loss, trouble, division, and disappointment. And was even the title of Virginia good, and the claim admissible, she would derive more lasting and real benefit by participating it, than by attempting the management of an object so infinitely beyond her reach. Her share with the rest, under the supremacy of the United States, which is the only authority adaquate to the purpose, would be worth more to her, than what the whole would produce under the management of herself alone, and that for several reasons.

First, because her claim not being admissible nor yet manageable, she cannot make a good title to the purchasers, and consequently can get but little for the lands.

Secondly, because the distance the settlers will be at from her, will immediately put them out of all government and protection, so far, at least, as relates to Virginia: and by this means she will render her frontiers a refuge to desperadoes, and a hiding place from justice; and the consequence will be perpetual unsafety to her own peace and that of the neighbouring states. . . .

Lastly, because she must sooner or later relinquish them, and therefore to see her own interest wisely at first, is preferable to the alternative of finding it out by misfortune at last. . . .

I have already remarked that only the United States and not any particular state can lay off new states and incorporate them in the union by representation; keeping, therefore, this idea in view, I ask, might not a substantial fund be quickly created by laying off a new state, so as to contain between twenty and thirty million of acres, and opening a land office in all the countries in Europe for hard money, and in this country for supplies in kind at a certain price. . . .

If twenty millions of acres of this new state be patented and sold at twenty pounds sterling per hundred acres they will produce four million pounds sterling, which, if applied to continental expences only will support the war for three years should Britain be so unwise to herself to prosecute it against her own direct interest and against the interest and policy of all Europe. The several states will then have to raise taxes for their internal government only, and the continental taxes as soon as the fund begins to operate will lessen, and if sufficiently productive will cease. . . .

I shall now enquire into the effects which the laying out a new state, under the authority of the United States, will have upon Virginia.

It is the very circumstance she ought to and must wish for when she examines the matter thro' all its cases and consequences.

The present settlers being beyond her reach, and her supposed authority over them remaining in herself, they will appear to her as revolters, and she to them as oppressors; and this will produce such a spirit of mutual dislike that in a little time a total disagreement will take place, to the disadvantage of both.

But under the authority of the United States the matter is manageable, and Virginia will be eased of a disagreeable consequence.

Besides this, a sale of the lands, continentally, for the purpose of supporting the expence of the war, will save her a greater share of taxes, than what the small sale she could make herself, and the small price she could get for them, would produce.

She would likewise have two advantages which no other state in the union enjoys, first, a frontier state for her defence against the incursions of the Indians; and the second is, that the laying out and peopling a new state on the back of an old one, situated as she is, is doubling the quantity of its trade.

The new state, which is here proposed to be laid out, may send its exports down the Missisippi, but its imports must come thro' Chesapeak Bay, and consequently Virginia will become the market for the new state; because, tho' there is a navigation from it, there is none into it, on account of the rapidity of the Missisippi.

There are certain circumstances that will produce certain events whether men think of them or not. The events do not depend upon thinking, but are the natural consequence of acting; and according to the system which Virginia has gone upon, the issue will be, that she will get involved with the back settlers in a contention about *rights* till they dispute with her her own claims, and, soured by the contention, will go to any other state for their commerce; both of which may be prevented, a perfect harmony established, the strength of the states encreased, and the expences of the war defrayed, by settling the matter now on the plan of a general right; and every day it is delayed the difficulty will be encreased and the advantages lessened. . . .

As the laying out new states will some time or other be the business of the country, and as it is yet a new business to us; and as the influence of the war has scarcely afforded leisure for reflecting on distant circumstances, I shall throw together a few hints for facilitating that measure, whenever it may be proper for adopting it.

The United States now standing on the line of sovereignty, the vacant territory is their property collectively, but the persons by whom it may hereafter be peopled will have an equal right with ourselves; and therefore, as new states shall be laid off and incorporated with the present, they will become partakers of the remaining territory with us who are already in possession. And this consideration ought to heighten the value of lands to new emigrants; because, in making purchases, they not only gain an immediate property, but become initiated into the right and heirship of the states to a property in reserve, which is an additional advantage to what any purchasers under the late government of England enjoyed.

The setting off the boundary of any new state will naturally be the first step, and as it must be supposed not to be peopled at the time it is laid off, a constitution must be formed, by the United States, as the rule of government in any new state, for a certain term of years, (perhaps ten) or until the state become peopled to a certain number of inhabitants; after which, the whole and sole right of modelling their government to rest with themselves.

A question may arise, whether a new state should immediately possess an equal right with the present ones in all cases which may come before Congress.

This, experience will best determine; but at first view of the matter it appears thus; That it ought to be immediately incorporated into the union on the ground of a family right, such a state standing in the line of a younger child of the same stock; but as new emigrants will have something to learn when they first come to America, and a new state requiring aid rather than capable of giving it, it might be most convenient to admit its immediate representation into Congress, there to sit, hear, and debate, on all questions and matters, but not to vote on any till after the expiration of seven years.

I shall in this place take the opportunity of renewing a hint which I formerly threw out in the pamphlet *Common Sense*, and which the several states will, sooner or later, see the convenience, if not the necessity, of adopting; which is, that of electing a Continental Convention, for the purpose of forming a Continental Constitution, defining and describing the powers and authority of Congress.

[Thomas Paine], *Public Good* (Philadelphia, 1780), 6–38 *passim*.

43. Charter of the First Territorial Colony (1784)

BY THE CONGRESS OF THE UNITED STATES

Jefferson was at the head of the committee that framed this ordinance. As adopted, the plan differs in some essentials from the original draft. The ordinance was passed but never carried into operation; it is chiefly important as a forerunner of the famous Ordinance of 1787 (see No. 46 below). — For Jefferson, see No. 10 above. — Bibliography as in No. 42 above. — Jefferson's draft is in H. S. Randall, *Jefferson*, I, 397–399.

[April 23, 1784.] CONGRESS assembled — Present New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Maryland, Virginia, North-Carolina, and South-Carolina. . . .

Congress resumed the consideration of the report of a committee on a plan for a temporary government of the western territory.

A motion was made by Mr. Gerry, seconded by Mr. Williamson, to amend the report by inserting after the words, "but not of voting," the following clause.

"That measures not inconsistent with the principles of the confederation, and necessary for the preservation of peace and good order among the settlers in any of the said new states, until they shall assume a temporary government as aforesaid, may from time to time be taken by the United States in Congress assembled.

A motion was made by Mr. Read, seconded by Mr. Spaight, to postpone that amendment in order to take up the following.

That until such time as the settlers aforesaid, shall have adopted the constitution and laws of some one of the original states as aforesaid, for a temporary government the said settlers shall be ruled by magistrates to be appointed by the United States in Congress assembled, and under such laws and regulations as the United States in Congress assembled shall direct.

On the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Read.

New-Hampshire,	Mr. Foster	*no*	*no*
	Mr. Blanchard	*no*	
Massachusetts,	Mr. Gerry	*no*	*no*
	Mr. Partridge	*no*	
Rhode-Island,	Mr. Ellery	*no*	*
Connecticut,	Mr. Sherman	*no*	*no*
	Mr. Wadsworth	*no*	

New-York,	Mr. De Witt	*ay*	*divided*
	Mr. Paine	*no*	
New-Jersey,	Mr. Beatty	*no*	*no*
	Mr. Dick	*no*	
Pennsylvania,	Mr. Mifflin	*ay*	*ay*
	Mr. Montgomery	*ay*	
	Mr. Hand	*ay*	
Maryland,	Mr. Stone	*ay*	*ay*
	Mr. Chase	*ay*	
Virginia,	Mr. Jefferson	*no*	*no*
	Mr. Mercer	*ay*	
	Mr. Monroe	*no*	
North-Carolina,	Mr. Williamson	*no*	*divided*
	Mr. Spaight	*ay*	
South-Carolina,	Mr. Read	*ay*	*divided*
	Mr. Beresford	*no*	

So the question was lost.

The amendment of Mr. Gerry being adopted, the report as amended, was agreed to as follows.

Resolved, That so much of the territory ceded or to be ceded by individuals states to the United States, as is already purchased or shall be purchased of the Indian inhabitants, and offered for sale by Congress, shall be divided into distinct states in the following manner, as nearly as such cessions will admit; that is to say, by parallels of latitude, so that each state shall comprehend from north to south two degrees of latitude, beginning to count from the completion of forty-five degrees north of the equator; and by meridians of longitude, one of which shall pass through the lowest point of the rapids of Ohio, and the other through the western cape of the mouth of the great Kanhaway: but the territory eastward of this last meridian, between the Ohio, lake Erie, and Pennsylvania, shall be one state whatsoever may be its comprehension of latitude. That which may lie beyond the completion of the 45th degree between the said meridians shall make part of the state adjoining it on the south; and that part of the Ohio, which is between the same meridians coinciding nearly with the parallel of 39° shall be substituted so far in lieu of that parallel as a boundary line.

That the settlers on any territory so purchased and offered for sale shall, either on their own petition or on the order [of] Congress, receive authority from them, with appointments of time and place, for their free

males of full age within the limits of their state to meet together, for the purpose of establishing a temporary government, to adopt the constitution and laws of any one of the original states; so that such laws nevertheless shall be subject to alteration by their ordinary legislature; and to erect subject to a like alteration, counties, townships, or other divisions, for the election of members for their legislature.

That when any such state shall have acquired twenty thousand free inhabitants, on giving due proof thereof to Congress, they shall receive from them authority with appointments of time and place, to call a convention of representatives to establish a permanent constitution and government for themselves. Provided that both the temporary and permanent governments be established on these principles as their basis.

First. That they shall for ever remain a part of this confederacy of the United States of America.

Second. That they shall be subject to the articles of confederation in all those cases in which the original states shall be so subject, and to all the acts and ordinances of the United States in Congress assembled, conformable thereto.

Third. That they in no case shall interfere with the primary disposal of the soil by the United States in Congress assembled, nor with the ordinances and regulations which Congress may find necessary for securing the title in such soil to the bona fide purchasers.

Fourth. That they shall be subject to pay a part of the federal debts contracted or to be contracted, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states.

Fifth. That no tax shall be imposed on lands the property of the United States.

Sixth. That their respective governments shall be republican.

Seventh. That the lands of non resident proprietors shall in no case be taxed higher than those of residents within any new state, before the admission thereof to a vote by its delegates in Congress.

That whensoever any of the said states shall have of free inhabitants, as many as shall then be in any one the least numerous of the thirteen original states, such state shall be admitted by its delegates into the Congress of the United States, on an equal footing with the said original states; provided the consent of so many states in Congress is first obtained as may at the time be competent to such admission. And in order to adapt the said articles of confederation to the state of Congress

when its numbers shall be thus encreased, it shall be proposed to the legislatures of the states, originally parties thereto, to require the assent of two thirds of the United States in Congress assembled, in all those cases wherein by the said articles, the assent of nine states is now required, which being agreed to by them shall be binding on the new states. Until such admission by their delegates into Congress, any of the said states after the establishment of their temporary government shall have authority to keep a member in Congress, with a right of debating but not of voting.

That measures not inconsistent with the principles of the confederation, and necessary for the preservation of peace and good order among the settlers in any of the said new states until they shall assume a temporary government as aforesaid, may from time to time be taken by the United States in Congress assembled.

That the preceding articles shall be formed into a charter of compact; shall be duly executed by the president of the United States in Congress assembled, under his hand, and the seal of the United States; shall be promulgated; and shall stand as fundamental constitutions between the thirteen original states, and each of the several states now newly described, unalterable from and after the sale of any part of the territory of such state, pursuant to this resolve, but by the joint consent of the United States in Congress assembled, and of the particular state within which such alteration is proposed to be made.

On the question to agree to the foregoing, the yeas and nays being required by Mr. Beresford.

New-Hampshire,	Mr. Foster	*ay*	*ay*
	Mr. Blanchard	*ay*	
Massachusetts,	Mr. Gerry	*ay*	*ay*
	Mr. Partridge	*ay*	
Rhode-Island,	Mr. Ellery	*ay*	*ay*
	Mr. Howell	*ay*	
Connecticut,	Mr. Sherman	*ay*	*ay*
	Mr. Wadsworth	*ay*	
New-York,	Mr. De Witt	*ay*	*ay*
	Mr. Paine	*ay*	
New-Jersey,	Mr. Beatty	*ay*	*ay*
	Mr. Dick	*ay*	
Pennsylvania,	Mr. Mifflin	*ay*	*ay*
	Mr. Montgomery	*ay*	
	Mr. Hand	*ay*	

Maryland,	Mr. Stone	*ay*	*ay*
	Mr. Chase	*ay*	
Virginia,	Mr. Jefferson	*ay*	*ay*
	Mr. Mercer	*ay*	
	Mr. Monroe	*ay*	
North-Carolina,	Mr. Williamson	*ay*	*ay*
	Mr. Spaight	*ay*	
South-Carolina,	Mr. Read	*no*	*no*
	Mr. Beresford	*no*	

So it was resolved in the affirmative.

Journals of Congress, November 3, 1783–June 3, 1784 (Philadelphia, [1784]), IX, 151–156 *passim*.

44. A Manifesto against the State of Franklin (1785)

BY GOVERNOR ALEXANDER MARTIN

The premature State of Franklin was one of the results of the troublous times that followed the Revolution. Martin's manifesto is characteristic of the opinion held by the more sagacious men of the East respecting the status of the West. — Bibliography: J. G. M. Ramsey, *Annals of Tennessee*, ch. iv; Roosevelt, *Winning of the West*, III, ch. iv.

STATE OF NORTH-CAROLINA:

By His Excellency ALEXANDER MARTIN, Esquire, Governor, Captain-General and Commander-in-Chief of the State aforesaid —

To the Inhabitants of the Counties of Washington, Sullivan and Greene:

A MANIFESTO.

Whereas, I have received letters from Brigadier-General Sevier, under the style and character of Governor, and from Messrs. Landon Carter and William Cage, as Speakers of the Senate and House of Commons of the State of Franklin, informing me that they, with you, the inhabitants of part of the territory lately ceded to Congress, had declared themselves independent of the State of North-Carolina, and no longer consider themselves under the sovereignty and jurisdiction of the same, stating their reason[s] for their separation and revolt — among which

it is alledged, that the western country was ceded to Congress without their consent, by an act of the legislature, and the same was repealed in the like manner.

It is evident, from the journals of that Assembly, how far that assertion is supported, which held up to public view the names of those who voted on the different sides of that important question, where is found a considerable number, if not a majority, of the members — some of whom are leaders in the present *revolt* — then representing the above counties, in support of that act they now deem impolitic and pretend to reprobate — which, in all probability, would not have passed but through their influence and assiduity — whose passage at length was effected but by a small majority, and by which a cession of the vacant territory was only made and obtained with a power to the delegates to complete the same by grants, but that government should still be supported, and that anarchy prevented — which is now suggested — the western people were ready to fall into. The sovereignty and jurisdiction of the state were, by another act passed by the same assembly, reserved and asserted over the ceded territory, with all the powers and authorities as full and ample as before, until Congress should accept the same.

The last Assembly having learned what uneasiness and discontent the Cession act had occasioned throughout the state, whose inhabitants had not been previously consulted on that measure, in whom, by the constitution, the soil and territorial rights of the state are particularly vested, judging the said act impolitic at this time, more especially as it would, for a small consideration, dismember the state of one half of her territory, and in the end tear from her a respectable body of her citizens, when no one state in the Union had parted with any of their citizens, or given anything like an equivalent to Congress but vacant lands of an equivocal and disputed title and distant situation; and also considering that the said act, by its tenor and purport, was revocable at any time before the cession should have been completed by the delegates, who repealed it by a great majority; at the same time, the Assembly, to convince the people of the western country of their affection and attention to their interest, attempted to render government as easy as possible to them, by removing the only general inconvenience and grievance they might labour under, for the want of a regular administration of criminal justice, and a proper and immediate command of the militia; a new district was erected, an assistant judge and a brigadier-general were appointed. . . .

In order, therefore, to reclaim such citizens, who, by specious pretences and the acts of designing men, have been seduced from their allegiance, to restrain others from following their example who are wavering, and to confirm the attachment and affection of those who adhere to the old government, and whose fidelity hath not yet been shaken, I have thought proper to issue this Manifesto, hereby warning all persons concerned in the said revolt, that they return to their duty and allegiance, and forbear paying any obedience to any self-created power and authority unknown to the constitution of the state, and not sanctified by the Legislature. . . . That the honour of this State has been particularly wounded, by seizing that by violence which, in time, no doubt, would have been obtained by consent, when the terms of separation would have been explained and stipulated, to the mutual satisfaction of the mother and new state. That Congress, by the confederation, cannot countenance such a separation, wherein the State of North-Carolina hath not given her full consent; and if an implied or conditional one hath been given, the same hath been rescinded by a full Legislature. Of her reasons for so doing they consider themselves the only competent judges. . . .

That you be not insulted or led away with the pageantry of a mock government without the essentials — the shadow without the substance — which always dazzles weak minds, and which will, in its present form and manner of existence, not only subject you to the ridicule and contempt of the world, but rouse the indignation of the other states in the Union at your obtruding yourselves as a power among them without their consent. Consider what a number of men of different abilities will be wanting to fill the civil list of the State of Franklin, and the expense necessary to support them suitable to their various degrees of dignity, when the District of Washington, with its present officers, might answer all the purposes of a happy government until the period arrive when a separation might take place to mutual advantage and satisfaction on an honourable footing. The Legislature will shortly meet, before whom the transactions of your leaders will be laid. Let your representatives come forward and present every grievance in a constitutional manner, that they may be redressed; and let your terms of separation be proposed with decency, your proportion of the public debts ascertained, the vacant territory appropriated to the mutual benefit of both parties, in such manner and proportion as may be just and reasonable; let your proposals be consistent with the honour of the state to accede

to, which, by your allegiance as good citizens, you cannot violate, and I make no doubt but her generosity, in time, will meet your wishes.

But, on the contrary, should you be hurried on by blind ambition to pursue your present unjustifiable measures, which may open afresh the wounds of this late bleeding country, and plunge it again into all the miseries of a civil war, which *God* avert, let the fatal consequences be charged upon the authors. It is only time which can reveal the event. I know with reluctance the state will be *driven to arms*; it will be the last alternative to *imbrue* her hands in the blood of her citizens; but if no other ways and means are found to save her honour, and reclaim her head-strong, refractory citizens, but this last sad expedient, her resources are not yet so exhausted or her spirits damped, but she may take satisfaction for this great injury received, regain her government over the revolted territory or render it not worth possessing. But all these effects may be prevented, at this time, by removing the causes, by those who have revolted returning to their duty, and those who have stood firm, still continue to support the government of this state, until the consent of the legislature be fully and constitutionally had for a separate sovereignty and jurisdiction. . . .

J. G. M. Ramsey, *The Annals of Tennessee* (Charleston, 1853), 309–312 *passim*.

45. Question of the Mississippi (1786)

BY ACTING MINISTER LOUIS GUILLAUME OTTO

(Anonymous Translation, 1882)

Otto was the French *chargé d'affaires*. Later, under the First Empire, he held important diplomatic positions. — For Vergennes, to whom this letter was addressed September 10, 1786, see *Contemporaries*, II, No. 216. — Bibliography: Roosevelt, *Winning of the West*, III, ch. iii; Channing and Hart, *Guide*, §§ 150, 153.

THE negotiations relating to the treaty of commerce with Spain, of which I had the honor to give you an account in my last despatch, have since been the constant subject of the deliberations of congress. The southern states had vainly flattered themselves that they could detach Pennsylvania and New Jersey from the league of the North; they have, however, proposed the mediation of his Majesty and the plan by which New Orleans is designated as a commercial *entrepôt* for all the commodities of the interior. The only change which they made in it

consisted in giving full instructions to Mr. Carmichael to open negotiations at Madrid instead of sending Jefferson there.

This project has met serious opposition from the states of the North. As to the navigation of the Mississippi, they remarked that, far from being advantageous to the confederation, it would only serve to separate from the United States all the interior country; that the inhabitants of Kentucky, no longer feeling the necessity of maintaining commercial connections with the maritime states, and having, furthermore, a policy entirely different from that of their neighbors, would only think of rendering themselves wholly independent of congress as of a sovereign body from which they could derive no benefit; that the fertility of those countries would insensibly attract the most industrious inhabitants of the northern states, who would not hesitate an instant to exchange the arid rocks of Massachusetts and of New Hampshire for the smiling plains of the Ohio and the Mississippi; that a limited population spread over an immense surface would weaken the springs of the government, and that anarchy and discord would inevitably arise from this state of affairs; that the policy of congress ought to be to strengthen more and more the maritime states, and to await the time when the surplus of population would flow toward the interior; that, independently of all these motives, care should be taken to avoid exciting the jealousy of the savage hordes which still infest those lands; that a war with one of these perfidious nations, in the present exhausted state of the finances, would be one of the greatest calamities; that the possessions of the United States were already of too great extent, and that their territory ought to be reduced rather than augmented beyond all proportion; that, moreover, the court of Spain did not appear in the least disposed to give up the navigation of the Mississippi; that by insisting on this article would only irritate his Catholic Majesty and render him less disposed to yield on the most essential parts of the treaty. For these reasons it was necessary not only to reject the plan of mediation proposed by the southern states, but to recall the ultimatum which proposed the opening of the Mississippi as a condition *sine qua non*.

Not confining themselves to simple arguments, the delegates of the North at once made a motion to repeal this clause of the ultimatum, and to authorize Mr. Jay to conclude with the Spanish minister. Seven states having given their sanction to the change in the instructions, the motion was passed in the form of a resolution.

The five southern states protested against this measure, which they

called illegal; they proved that, according to the articles of the confederation, the consent of nine states was necessary to give instructions concerning the conclusion of a treaty; those instructions could not be revoked by seven states only; that a proceeding so extraordinary threatened the total overthrow of the constitution, and that even if Mr. Jay should be able to sign such a treaty with Don Diego de Gardoqui, they would never consent to the ratification of such a treaty; that in regard to the western country it would be useless to insist on the necessity of restricting the territory of the United States; that the fertile plains of the interior would always attract a considerable number of the inhabitants of the different states, and it would be easier to stay a torrent than the constant flow of this population; that everybody knew the restless spirit of a people ever urged on by necessity, and eager to change home and climate; and that the colonists of the rich countries of the West, having no facilities for exporting the surplus of their produce by way of the Mississippi, would finally without fail come to an understanding with England, in order to obtain an outlet by the lakes and the river St. Lawrence.

All these arguments made not the least impression upon the northern delegates; but the position of Mr. Jay becomes very embarrassing. The instructions given by seven states not being constitutional, he cannot conclude his treaty without encountering bitter reproaches from the five southern states, who loudly accuse him of having by all sorts of intrigues directed the actions of the northern delegates, in order not to suffer the negotiation to slip from his hand. They even threaten to displace him, or at least to give him two assistants. On the other hand, this minister cannot refuse to execute the orders of a party of which he is himself the most zealous partisan, without losing his popularity and influence.

Whatever Mr. Jay's conduct may be, it is to be feared that this discussion will cause a great coolness between the two parties, and may be the germ of a future separation of the southern states.

Mr. Gardoqui affects the greatest indifference about these negotiations. Recognising the instability of the American governments, the weakness of congress, and the continual fluctuation of political principles, he sees no necessity of concluding a treaty which his Catholic Majesty can easily do without. He has often said to me that in spite of all the precautions of the government it would be impossible to prevent contraband trade and other disorders which the Americans

would not fail to cause; that it was of infinite importance to his court not to encourage establishments on the Mississippi which might one day become neighbors so much the more dangerous for the Spanish possessions, since even in their present weakness they were already conceiving vast schemes for the conquest of the western bank of the river; that the savages would always form the best barrier between the two nations; and that nothing better could be done than to leave matters on their present footing.

I have had the honor thus far of explaining to you merely the ostensible arguments of the two parties; but a long acquaintance with the affairs of this country authorizes me, perhaps, to divine the secret motives of the heat with which each state supports its opinion in an affair which does not appear of enough importance to disturb their harmony.

The southern states are not in earnest when they assert that without the navigation of the Mississippi the inhabitants of the interior will seek an outlet by way of the lakes, and will throw themselves into the arms of England. They know too well the aversion of their compatriots for that power, and the difficulty of conveying heavy cargoes through the rivers which lead to Canada.

But the true motive of this vigorous opposition is to be found in the great preponderance of the northern states, eager to incline the balance toward their side; the southern neglect no opportunity of increasing the population and importance of the western territory, and of drawing thither by degrees the inhabitants of New England, whose ungrateful soil only too much favors emigration.

Rhode Island, especially, has already suffered considerably from the new establishments of Ohio, and a great number of families daily leave their homes to seek lands more fertile and a less rigorous climate.

This emigration doubly enfeebles New England, since on the one hand it deprives her of industrious citizens, and on the other it adds to the population of the southern states.

These new territories will gradually form themselves into separate governments; they will have their representatives in congress, and will augment greatly the mass of the southern states.

All these considerations make evident to the delegates from the South the necessity of promoting by all sorts of means their establishments in the West, and from this point of view a treaty with Spain appears to them most desirable. But if this treaty contains only stipulations in

favor of the northern fisheries, far from strengthening themselves against the too great preponderance of the northern states, they would furnish them with new arms, by increasing their prosperity and the extension of their commerce.

The conduct of this thorny negotiation is in the hands of Mr. Jay. . . .

George Bancroft. *History of the Formation of the Constitution of the United States* (New York, 1882), II, Appendix, 389–393.

46. The Northwest Ordinance (1787)

BY NATHAN DANE (1830)

Dane was a delegate to Congress from Massachusetts, and became one of the most prominent lawyers of New England. He possessed conspicuous ability as a framer of laws. This letter was addressed to Daniel Webster. — For a memoir of Dane, see Massachusetts Historical Society, *Proceedings*, 1835–1855, pp. 6–10. — Bibliography: Channing and Hart, *Guide*, § 150. — For the controversy over the authorship of the Ordinance, see Winsor, *Narrative and Critical History*, VII, 537–938; McMaster, *History of the United States*, III, 112.

BEVERLY, March 26th, 1830.

. . . YOU recollect you ascribed to me the formation of the Ordinance of the Old Congress, of July 13th, 1787. Since writing you last, I have seen Mr. Benton's speech on the subject, in the National Intelligencer, of March 6th, 1830, in which, I find, on no authority, he ascribes its formation in substance to Mr. Jefferson; that is, that Mr. Jefferson formed an ordinance in 1784, and he seems to infer from that the Ordinance of '87 was taken or copied. This inference of Benton's has not the least foundation, as thus appears: Mr. Jefferson's resolve, or plan (not ordinance), of April 23d, 1784, is contained in two pages and a half; is a mere incipient plan, in no manner matured for practice, as may be seen. The Ordinance of July, 1787, contains eight pages; is in itself a complete system, and finished for practice; and, what is very material, there cannot be found in it more than twenty lines taken from Jefferson's plan, and these worded differently. In fact, his plan and this Ordinance are totally different, in size, in style, in form, and in principle. . . . Mr. Benton's assertion, so groundless, extorts from me the above, and the following exposition, in defence of those who have long ascribed to me the formation. . . .

1. As I am the only member of Congress living who had any concern

in forming or in passing this Ordinance, no living testimony is to be expected.

2. In the North-American Review, of July, 1826, pages 1 to 41, is a review of my "General Abridgment," &c., of American Law. In page 40, it is said, I "was the framer of the celebrated Ordinance of Congress, of 1787." At present, it is enough to add this fact, stated in the Inaugural Discourse of Judge Story, page 58. . . .

Generally, when persons have asked me questions respecting the Ordinance, I have referred to the Ordinance itself, as evidently being the work of a Massachusetts lawyer on the face of it. I now make the same reference, and to its style, found in my "Abridgment," &c.

3. When I mention the formation of this Ordinance, it is proper to explain. It consists of three parts. 1st, The titles to estates, real and personal, by deed, by will, and by descent; also personal, by delivery. These titles occupy the first part of the Ordinance, not a page, evidently selected from the laws of Massachusetts, except it omits the double share of the oldest son. These titles were made to take root in the first and early settlements, in 400,000 square miles. Such titles so taking root, we well know, are, in their nature, in no small degree *permanent;* so, vastly important. I believe these were the first titles to property, completely republican, in Federal America; being in no part whatever feudal or monarchical. . . . 2d, It consists of the *temporary* parts that ceased with the territorial condition; which, in the age of a nation, soon pass away, and hence are not *important.* These parts occupy about four pages. They designate the officers, their qualifications, appointments, duties, oaths, &c., and a temporary legislature. Neither those parts, nor the titles, were in Jefferson's plan, as you will see. The 3d part, about three pages, consists of the *six fundamental articles* of *compact,* expressly made *permanent, and to endure for ever;* so, the most important and valuable part of the Ordinance. These, and the titles to estates, I have ever considered the parts of the Ordinance that give it its peculiar character and value; and never the *temporary* parts, of short duration. Hence, whenever I have written or spoken of its formation, I have mainly referred to these titles and articles; not to the *temporary* parts, in the forming of which, in part, in 1786, Mr. Pinckney, myself, and, I think, Smith, took a part. So little was done with the Report of 1786, that only a few lines of it were entered in the Journals. I think the files, if to be found, will show that Report was re-formed, and temporary parts added to it, by the Committee of '87; and that I then

added the titles and six articles; five of them before the Report of 1787 was printed, and the sixth article after, as below.

4. As the *slave* article has ever principally attracted the public attention, I have, as you will see, ever been careful to give Mr. Jefferson and Mr. King their full credit in regard to it. I find in the Missouri contest, ten years ago, the slave-owners in Congress condemned the six articles generally; and Mr. Pinckney, one of the Committee of 1786, added, they were an attempt to establish a *compact*, where none could exist, for want of proper parties. This objection, and also the one stating the Ordinance was an *usurpation*, led me to add pages 442, beginning *remarks*, to page 450, in which I labored much to prove it was no usurpation, and that the articles of compact were valid. They may be referred to, as in them may be seen the style of the Ordinance, though written thirty-four years after that was. Slave-owners will not claim as Mr. Pinckney's work what he condemned. Careful to give Mr. J. and Mr. K. full credit in pages 443, 446, Vol. 7th, I noticed Mr. Jefferson's plan of '84, and gave him credit for his attempt to exclude slavery after the year 1800. I may now add, he left it to take root about seventeen years; so his exclusion was far short of the sixth article in the Ordinance. Page 446, I noticed the motion (Mr. King's) of March 16, 1785, and admitted it to be a motion to exclude slavery, as fully as in the sixth article. I now think I admitted too much. He moved to exclude slavery only from *the States* described in the Resolve of Congress, of April 23, 1784, Jefferson's Resolve, and to be added to it. It was very doubtful whether the word *States*, in that Resolve, included any more territory than the individual States ceded; and whether the word *States* included preceding *territorial condition*. Some thought his motion meant only *future* exclusion, as did Mr. Jefferson's plan clearly: therefore, in forming the Ordinance of '87, all about States in his plan was excluded, as was nearly all his plan, as inspection will prove, and that Ordinance made, in a few plain words, to include "the territory of the United States north-west of the river Ohio,"— all made, for the purposes of temporary government, one district; and the sixth article excludes slavery for ever from "the said territory." One part of my claim to the slave article I now, for the first time, state. In April, 1820 (Missouri contest), search was made for the original manuscript of the Ordinance of '87. Daniel Bent's answer was, "that no written draft could be found;" but there was found, attached to the printed Ordinance, in my handwriting, the sixth article, as it now is,— that is, the slave arti-

cle. So this article was made a part of the Ordinance solely by the care of him, who says Mr. Benton no more formed the Ordinance of '87 than he did. I have Bent's certificate, &c.

5. In pages 389, 390, Sect. 3, Vol. 7th, I mention the Ordinance of '87 was framed, mainly, from the laws of Massachusetts. This appears on the face of it; meaning the titles to estates, and nearly all the six articles, the *permanent* and important parts of it, and some other parts; and, in order to take the credit of it to Massachusetts, I added, "this Ordinance (formed by the author, &c.) was framed," &c. I then had no idea it was ever claimed as the draft of any other person. Mr. Jefferson I never thought of. In the Missouri contest, Mr. Grayson was mentioned as the author; but, as he never was on any committee in the case, nor wrote a word of it, the mention of him was deemed an idle affair. We say, and properly, Mr. Jefferson was the author of the Declaration of Independence (or formed it, as you observe); yet he no more than collected the important parts, and put them together. If any lawyer will critically examine the laws and constitutions of the several States, as they were in 1787, he will find the titles, six articles, &c., were not to be found anywhere else so well as in Massachusetts, and by one who, in '87, had been engaged several years in revising her laws. See N. A. Review, July, 1826, pages 40, 41. I have never claimed *originality*, except in regard to the clause against impairing contracts, and perhaps the *Indian* article, part of the third article, including, also, religion, morality, knowledge, schools, &c.

6. The style of the Ordinance. Since the year 1782, books and records show my writings, especially in the forms of statutes. My law-writings have been extensively published; and often, on important subjects, the first draft has been reduced half, or more. This process naturally ends in a studied, compressed style, rather hard. Had I room, I could refer to numerous parts of my writings, published and not published, to show this style; and this is the style of the Ordinance, courteously denominated, in the discourse mentioned, "a sententious skilfulness of expression.". . .

I am surprised Senators Benton and Hayne attempt to place Mr. Jefferson's fame, in any part, on his meagre, inadequate plan of '84. If his exalted reputation rests on no better foundation than this, will it be immortal? I can account for their bold assertions, only on the supposition they had never read his plan. . . .

I will only add that, in the years 1784, '85, '86, and '87, the Eastern

members in the Old Congress really thought they were preparing the North-Western Territory principally for New-England settlers, and to them the third and sixth articles of compact more especially had reference; therefore, when North Carolina ceded her western territory, and requested this Ordinance to be extended to it, except the *slave* article, that exception had my full assent, because slavery had taken root in it, and it was then probable it would be settled principally by slave-owners.

Massachusetts Historical Society, *Proceedings*, 1867–1869 (Boston, 1869), 475–480 *passim*.

47. Retention of the Frontier Posts (1787)

BY THOMAS TOWNSHEND, LORD SYDNEY

Sydney was secretary of state for the home department in the Pitt ministry. The department then included colonial affairs. Lord Dorchester, to whom the letter was addressed September 14, 1787, was Guy Carleton, prominent as an English commander during the Revolution. He was governor of Quebec, and as such was at the head of English interests in America. — Bibliography: Channing and Hart, *Guide*, § 153.

. . . I HAVE been favored with your lordship's despatches, numbered from ten to twenty-six, inclusive, and I lost no time in laying them, with their several enclosures, before the king. They have all undergone some consideration, and I shall make my replies, as I have been instructed to do, to them in the order in which they stand.

With regard to the posts, to which No. 10, marked secret, particularly relates, it was, I believe, intimated to your lordship, previous to your departure, that it was the firm opinion of the king's servants that the retaining the possession of the posts was a measure perfectly justifiable, and, from the conduct observed since that time on the part of the American states, they have no reason to alter their sentiments upon that point. It therefore becomes necessary that steps should be taken by putting them into a temporary state of defence, to resist any attack which the citizens of the states may meditate, and the sooner it can be done the better. The execution of a project of this sort must consequently be attended with expense, but the king's servants feel no difficulty in submitting the extent of the works to be performed to your lordship's judgment and discretion, persuaded, as they are, that your

zeal for the public welfare will induce you not to suffer a charge of any sort to be incurred which is not found to be indispensably necessary.

This resolution naturally brings forward some communications from your lordship wherein that subject is very materially concerned; I mean with respect to the conduct to be observed toward the Indians, and the establishment of a militia.

As to the first, it has all along been the disposition of his Majesty's ministers to pay that sort of attention to those people, and that regard to their situation and necessities, which can with any degree of reason be expected by them. Under this idea such supplies have been sent out, as appeared from your lordship's despatches, to be equal to their immediate wants, and though, as your lordship must suppose, it is desirable upon many accounts that these expenses should be kept upon as moderate a scale as possible, yet his Majesty's servants, considering that the protection of the fur trade and perhaps the general security of the province of Quebec may in some degree depend upon the part these people may take, would rather submit to an augmentation of such supplies than suffer them to be discontented or dissatisfied, particularly at this moment, when their active assistance may possibly be called for, and which must happen should the posts be attacked. It is to be hoped that the Americans will not proceed to hostile measures; but if they should avail themselves of any opportunity which may offer of seizing upon the posts, it will become your lordship's duty to use every endeavor to regain the possession of them, if you should find yourself sufficiently strong to be able to effect it.

With regard to the establishment of a militia, I am to acquaint your lordship that his Majesty's servants entirely approve of the measure. It will not only immediately add to the internal strength of the province, but will be a means of attaching the principal Canadian families, and will incline them warmly to engage in the support of its interests whenever they may be invaded.

It is to be hoped that your lordship has been able to succeed in your endeavors to procure a sufficient number of seamen to compose the crews of the vessels which your lordship proposed to employ upon the lakes; at present it seems to be very difficult to raise supplies of seamen in this country, and could it even easily be done, it might perhaps be advisable, considering the uncertain state of affairs upon the European continent, to secure their services on this side the Atlantic. But if your lordship should still remain under any difficulties, I have no doubt

that the officer commanding the king's ships upon the American station will be ready to lend every assistance which the small squadron under his orders can enable him to do.

The report of an intention on the part of America to apply for a sovereign of the house of Hanover has been circulated here; and should an application of that nature be made, it will require a very nice consideration in what manner so important a subject should be treated. But whatever ideas may have been formed upon it, it will upon all accounts be advisable that any influence which your lordship may possess should be exerted to discourage the strengthening their alliance with the house of Bourbon, which must naturally follow were a sovereign to be chosen from any branch of that family.

George Bancroft, *History of the Formation of the Constitution of the United States* (New York, 1882), II, Appendix, 439–441.

CHAPTER VIII — TRADE AND COMMERCE, 1783–1788

48. Observations on the Treaty of Peace (1783)

BY STATE SENATOR SAMUEL ADAMS

For Samuel Adams, see No. 30 above. This letter was addressed to John Adams. — For the treaty of peace, see *Contemporaries*, II, Nos. 215, 217.

Boston, 4 November, 1783.

COLONEL JOHN TRUMBULL, the son of the worthy Governor of Connecticut, is the bearer of this letter. I give the Governor this epithet, because I think his faithful services to our country entitle him to it. Yet even he has undergone the suspicions of some, unsupported by any solid reasons that I have heard of. We live in an age of jealousy, and it is well enough. I was led to believe in early life that jealousy is a political virtue. It has long been an aphorism with me, that it is one of the greatest securities of public liberty. Let the people keep a watchful eye over the conduct of their rulers, for we are told that great men are not at all times wise. It would be indeed a wonder, if in any age or country they were always honest. There are, however, some men among us, who, under the guise of watchful patriots, are finding fault with every public measure, with a design to destroy that just confidence in government, which is necessary for the support of those liberties, which we have so dearly purchased. Many of your countrymen, besides myself, feel very grateful to you, and those of our negotiators who joined you, in preventing the tory refugees from being obtruded upon us. These would certainly have increased the number of such kind of *patriots* as I have mentioned, and, besides, their return would have been attended with other mischievous effects. Mutual hatred and revenge would have occasioned perpetual quarrels between them and the people, and perhaps frequent bloodshed. Some of them, by art and address, might gradually recover a character, and, in time, an influence, and so become the fittest instruments in forming factions either for one

foreign nation or another. We may be in danger of such factions, and should prudently expect them. One might venture to predict that they will, sooner or later, happen. We should therefore guard against the evil effects of them. I deprecate the most favored nation predominating in the councils of America, for I do not believe there is a nation on earth that wishes we should be more free or more powerful than is consistent with their ideas of their own interest. Such a disinterested spirit is not to be found in national bodies; the world would be more happy if it prevailed more in individual persons. I will say it for my countrymen, they are, or seem to be, very grateful. All are ready freely to acknowledge our obligations to France, for the part she took in our late contest. There are a few who consider the advantage derived to her by a total separation of Britain and the colonies, which so sagacious a court doubtless foresaw and probably never lost sight of. This advantage was so glaring, in the first stages of our controversy, that those who then ran the risk of exciting even an appeal to Heaven rather than a submission to British tyranny, were well persuaded that the prospect of such a separation would induce France to interpose, and do more than she has done, if necessary. America, with the assistance of her faithful ally, has secured and established her liberty and independence. God be praised! And some would think it too bold to assert that France has thereby saved the being of her great importance. But if it be true, why may we not assert it? A punctual fulfilment of engagements solemnly entered into by treaty, is the justice, the honor, and policy of nations. If we, *who have contracted debts*, were influenced only by motives of sound policy, we should pay them as soon as possible, and provide sure and adequate funds for the payment of interest in the mean time. When we have done this, we shall have the sense of independence impressed on our minds, no longer feeling that state of inferiority which a wise king tells us the borrower stands in to the lender.

Your negotiation with Holland, as "my old friend" observed, is all your own. The faithful historian will do justice to your merits, perhaps not till you are dead. I would have you reconcile yourself to this thought. While you live, you will probably be the object of envy. The leading characters in this great revolution will not be fairly marked in the present age. It will be well if the leading principles are remembered long. You, I am sure, have not the vanity which Cicero betrayed, when he even urged his friend Licinius to publish the history of the detection

of Catiline in his lifetime, that he might enjoy it. I am far from thinking that part of history redounds so much to the honor of the Roman consul, as the treaty of Holland does to its American negotiator.

John Adams, *Works* (edited by Charles Francis Adams, Boston, 1854), IX, 519–520.

49. "Observations on the Commerce of the American States" (1783)

BY JOHN BAKER HOLROYD, EARL OF SHEFFIELD

Sheffield was an authority in England on commercial and agricultural matters. He was not friendly to the United States, and shared in the disbelief in the instability of the new nation. His *Observations* was written in opposition to a bill, introduced by Pitt, proposing to relax the navigation laws in favor of the United States. The bill was withdrawn. — Bibliography: Channing and Hart, *Guide*, § 153. — For the navigation laws, see *Contemporaries*, II, No. 45.

AS a sudden revolution — an unprecedented case — the independence of America, has encouraged the wildest sallies of imagination; Systems have been preferred to experience, Rash theory to successful practice, and the Navigation Act itself, the guardian of the prosperity of Britain, has been almost abandoned by the levity or ignorance of those, who have never seriously examined the spirit or the happy consequences of it. Our calmer reflections will soon discover, that so great a sacrifice is neither requisite nor expedient; truth and fact are against it; and the knowledge only and consideration of the exports and imports of the American States will afford us just principles, whereby we may ascertain the real value of their trade, foresee and judge of their true interest and probable conduct, and choose the wisest measures (the wisest are always the most simple) for securing and improving the benefits of a commercial intercourse with this now foreign and independent nation. For it is in the light of a foreign country that America must henceforward be viewed — it is the situation she herself has chosen by asserting her independence, and the whimsical definition of a people *sui generis*, is either a figure of rhetoric which conveys no distinct idea, or the effort of cunning, to unite at the same time the advantages of two inconsistent characters. By asserting their independence, the Americans have at once renounced the privileges, as well as the duties, of British subjects — they are become foreign states; and if in some instances, as in

the loss of the carrying-trade, they should feel the inconvenience of their choice, they could not, nor ought they to complain; but should they on the other hand be placed on the footing of the most favoured nation, they must surely applaud our liberality and friendship, without going so far as to expect that for their emolument, we should sacrifice the navigation and of course the naval power of Great Britain. By the simple expedient of permitting the acts of navigation to operate in respect to the American States, as they operate in respect to the most favoured foreign nation, we shall escape the unknown mischiefs of crude and precipitate systems, we shall avoid the rashness of hasty and pernicious concessions; concessions which could never be resumed without provoking their jealousy, and perhaps not without an entire commercial breach with the American States.

In the youthful ardour for grasping the advantages of the American trade, a bill, still depending, was first introduced into parliament. Had it passed into a law, it would have affected our most essential interests in every branch of commerce, and in every part of the world; it would have deprived of their efficacy our navigation laws, and undermined the whole naval power of Britain; it would have endangered the repose of Ireland, and excited the just indignation of Russia and other countries: the West India planters would have been the only subjects of Britain who could have derived any benefit, however partial and transient, from their open intercourse directly with the American States, and indirectly through them with the rest of the world. Fortunately some delays have intervened, and if we diligently use the opportunity of inquiry and reflection, which these delays have afforded us, the future welfare of our country may depend on this salutary pause.

Our impatience to pre-occupy the American market, should perhaps be rather checked than encouraged. The same eagerness has been indulged by our rival nations: they have vied with each other in pouring their manufactures into America, and the country is already stocked, most probably overstocked, with European commodities. It is experience alone that can demonstrate to the French, or Dutch trader, the fallacy of his eager hopes, and *that* experience will operate every day in favour of the British merchant. He alone is able and willing to grant that liberal credit, which must be extorted from his competitors by the rashness of their early ventures; they will soon discover that America has neither money nor sufficient produce to send in return, and cannot have for some time; and not intending or being able to give credit,

their funds will be exhausted, their agents will never return, and the ruin of the first creditors will serve as a lasting warning to their countrymen. The solid power of supplying the wants of America, of receiving her produce, and of waiting her convenience, belongs almost exclusively to our own merchants. If we can abstain from mischievous precipitation, we shall learn, to our great satisfaction, that the industry of Britain will encounter little competition in the American market. We shall observe with pleasure, that, among the maritime states, France, after all her efforts, will derive the smallest benefits from the commercial independence of America. She may exult in the dismemberment of the British empire, but if we are true to ourselves, and to the wisdom of our ancestors, there is still life and vigour left to disappoint her hopes, and to controul her ambition.

To form a just notion of the question now depending, and reasonably to decide upon it, it was necessary to examine and ascertain, what are the wants of America, what this country can provide her with, which cannot be procured elsewhere on terms equally advantageous, and what are the productions which America has to give in return. These investigations will throw some light on a subject as interesting, although perhaps as ill understood, as any that can be agitated among us, and the following facts and observations being distinctly stated, may be more easily comprehended, and will probably be more deliberately considered, than if spoken to benches usually almost empty, except when a ministerial question depends. . . .

But to conclude, some may doubt what turn the American States will take, and with many it may reasonably be a question, whether the trade ever will be again in so prosperous a state for America. Confusion and anarchy are likely to prevail for some time. Our descendants, the New Englanders, apt to be troublesome to themselves, as well as to others, and encouraged by a party among us in the habit of bullying our ministers, may assume a tone, which, however, will now avail them little in Europe. Their natural disposition will be heightened by finding they have lost the principal market for their shipping, lumber, the produce of the whale fishery, and much of the carrying trade. They will machinate, and must attempt to manage. The weakness of the Southern States has not a little to fear from their interference. It remains to be seen, whether the southern will become the puppets of the northern, whether the Middle Colonies will be the dupes to the northern, or a barrier to the Southern States; we shall, however, see New Englanders emigrate

from the government of their own forming, even to Nova Scotia and Canada, putting themselves under that British government of which they so loudly complained. Nothing is more uncertain than political speculation. The existence of one man, the merest accident, gives a turn to the affairs of the greatest countries, more especially of a country in the state in which America now is; but it is certain, that the confusion of the American States can now only hurt themselves. They must pay Europe in the best manner they can for cloathing and many articles, for which they are not likely to have the credit they had while in more settled circumstances. If one or more States should prohibit the manufactures of any particular country, they will find their way to them through other States, and by various means. The difficulty will only raise the price on the consumers in the States where the articles are prohibited. The British manufactures found their way to every part of the country during a most rancorous war, and the most strenuous Americans acknowledge that no imposts or excise laws will, for a long time, be regarded in America. In the mean time, and at all times, Britain will have nothing to apprehend. The American States will hardly enter into real hostilities with Britain. Britain need not quarrel with them all; but should either happen, some stout frigates, cruizing between Halifax and Bermuda, and between the latter and the Bahamas, would completely command the commerce of this mighty continent, concerning which our prophets have so much amused themselves, deluding the unthinking — a strangely conducted war is no proof to the contrary; and a land war would not be necessary — but in some of the States, and possibly even in the New-England provinces, when the animosity ceases, and the interested opposition to the return of the Loyalists on the part of those who are in possession of their lands, is no longer kept alive by apprehension, the natural good wishes that we have to the Americans, which they will gradually allow themselves to see, their interest, our interest, and many circumstances may bring us close together.

At present, the only part Britain should take is most simple, and perfectly sure. If the American States chuse to send Consuls, receive them, and send a Consul to *each State*. Each State will soon enter into all necessary regulations with the Consul, and this is the whole that is necessary.

John Lord Sheffield, *Observations on the Commerce of the American States* ("new edition," London, 1784), 1–277 *passim*.

50. British Commercial Restrictions (1783)

BY THOMAS PAINE

The sixteen pamphlets under the general title of "The Crisis," written by Paine between 1776 and 1783, exercised an enormous influence over men and events during the Revolution. — For Paine, see No. 42 above. — Bibliography as in No. 49 above.

TO THE PEOPLE OF AMERICA.

IN "Rivington's New-York Gazette," of December 6th, is a publication, under the appearance of a letter from London, dated September 30th; and is on a subject which demands the attention of the United States.

The public will remember that a treaty of commerce between the United States and England was set on foot last spring, and that until the said treaty could be completed, a bill was brought into the British parliament, by the then chancellor of the exchequer, Mr. Pitt, to admit and legalize (as the case then required) the commerce of the United States into the British ports and dominions. But neither the one nor the other has been completed. The commercial treaty is either broken off, or remains as it began; and the bill in parliament has been thrown aside. And in lieu thereof, a selfish system of English politics has started up, calculated to fetter the commerce of America, by engrossing to England the carrying trade of the American produce to the West-India islands.

Among the advocates for this last measure is lord Sheffield, a member of the British parliament, who has published a pamphlet entitled "Observations on the Commerce of the American States." The pamphlet has two objects; the one is to allure the Americans to purchase British manufactures; and the other to spirit up the British parliament to prohibit the citizens of the United States from trading to the West-India islands.

Viewed in this light, the pamphlet, though in some parts dexterously written, is an absurdity. It offends, in the very act of endeavoring to ingratiate; and his lordship, as a politician, ought not to have suffered the two objects to have appeared together. The letter alluded to, contains extracts from the pamphlet, with high encomiums on Lord Sheffield, for laboriously endeavoring (as the letter styles it) "to show the mighty advantages of retaining the carrying trade."

Since the publication of this pamphlet in England, the commerce of

the United States to the West-Indies, in American vessels, has been prohibited; and all intercourse, except in British bottoms, the property of, and navigated by British subjects, cut off.

That a country has a right to be as foolish as it pleases, has been proved by the practice of England for many years past: in her island situation, sequestered from the world, she forgets that her whispers are heard by other nations; and in her plans of politics and commerce, she seems not to know, that other votes are necessary besides her own. America would be equally as foolish as Britain, were she to suffer so great a degradation on her flag, and such a stroke on the freedom of her commerce, to pass without a balance.

We admit the right of any nation to prohibit the commerce of another into its own dominions, where there are no treaties to the contrary; but as this right belongs to one side as well as the other, there is always a way left to bring avarice and insolence to reason.

But the ground of security which lord Sheffield has chosen to erect his policy upon, is of a nature which ought and I think must awaken, in every American, a just and strong sense of national dignity. Lord Sheffield appears to be sensible, that in advising the British nation and parliament to engross to themselves so great a part of the carrying trade of America, he is attempting a measure which cannot succeed, if the politics of the United State[s] be properly directed to counteract the assumption.

But, says he, in his pamphlet, "It will be a long time before the American states can be brought to act as a nation, neither are they to be feared as such by us."

What is this more or less than to tell us, that while we have no national system of commerce, the British will govern our trade by their own laws and proclamations as they please. The quotation discloses a truth too serious to be overlooked, and too mi[s]chievous not to be remedied.

Among other circumstances which led them to this discovery, none could operate so effectually, as the injudicious, uncandid and indecent opposition made by sundry persons in a certain state, to the recommendations of congress last winter, for an import duty of five per cent. It could not but explain to the British a weakness in the national power of America, and encourage them to attempt restrictions on her trade, which otherwise they would not have dared to hazard. Neither is there any state in the union, whose policy was more misdirected to its interest

than the state I allude to, because her principal support is the carrying trade, which Britain, induced by the want of a well-centred power in the United States to protect and secure, is now attempting to take away. It fortunately happened (and to no state in the union more than the state in question) that the terms of peace were agreed on before the opposition appeared, otherwise, there cannot be a doubt, that if the same idea of the diminished authority of America had occurred to them at that time as has occurred to them since, but they would have made the same grasp at the fisheries, as they have done at the carrying trade.

It is surprising that an authority which can be supported with so much ease, and so little expense, and capable of such extensive advantages to the country, should be cavilled at by those whose duty it is to watch over it, and whose existence as a people depends upon it. But this, perhaps, will ever be the case, till some misfortune awakens us into reason, and the instance now before us is but a gentle beginning of what America must expect, unless she guards her union with nicer care and stricter honor. United, she is formidable, and that with the least possible charge a nation can be so: separated, she is a medley of individual nothings, subject to the sport of foreign nations.

It is very probable that the ingenuity of commerce may have found out a method to evade and supersede the intentions of the British, in interdicting the trade with the West-India islands. The language of both being the same, and their customs well understood, the vessels of one country may, by deception, pass for those of another. But this would be a practice too debasing for a sovereign people to stoop to, and too profligate not to be discountenanced. An illicit trade, under any shape it can be placed, cannot be carried on without a violation of truth. America is now sovereign and independent, and ought to conduct her affairs in a regular style of character. She has the same right to say that no British vessel shall enter her ports, or that no British manufactures shall be imported, but in American bottoms, the property of, and navigated by American subjects, as Britain has to say the same thing respecting the West-Indies. Or she may lay a duty of ten, fifteen or twenty shillings per ton (exclusive of other duties) on every British vessel coming from any port of the West-Indies, where she is not admitted to trade, the said tonnage to continue as long on her side as the prohibition continues on the other.

But it is only by acting in union, that the usurpations of foreign nations on the freedom of trade can be counteracted, and security ex-

tended to the commerce of America. And when we view a flag, which to the eye is beautiful, and to contemplate its rise and origin inspires a sensation of sublime delight, our national honor must unite with our interest to prevent injury to the one, or insult to the other.

COMMON SENSE.

New-York, December 9, 1783.

Thomas Paine, *The Crisis*, No. XVI [elsewhere called "A Supernumerary Crisis"], in *Political Writings* (Charlestown, Mass., 1824), I, 262–265.

51. A Royal Commission (1784)

BY KING CHARLES THIRD

(Anonymous Translation, 1832)

The navigation of the Mississippi was the chief obstacle to be surmounted in the negotiations with Spain. The South and West demanded free navigation, the East was willing to surrender it for a treaty of commerce, and Spain was unwilling to open the river. Gardoqui's mission was not successful. — Bibliography as in No. 45 above.

DON CARLOS, by the grace of God King of Castile, of Leon, of Arragon, of the two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarves, of Algecira, of Gibraltar, of the Canary islands, of the East and West Indies, Islands, and Terra Firma, of the Ocean sea, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Apsburgh, of Flanders, Tirol, and Barcelona, Lord of Biscay and of Molina, &c. Whereas there are many and very extensive territories in North America appertaining to my crown, and bordering on others of the United States of the same America, it is very convenient to establish and fix the respective limits, and to regulate those other points on which, between friendly Powers and nations, it is always convenient and necessary to have established regulations, in order to obviate all differences: The good correspondence and harmony which subsists between us and the said United States of North America, and the intercourse and commerce which our respective subjects have with each other, requiring that the boundaries which shall continue in future should be regulated in the most positive and notorious manner: Wherefore, having entire satisfaction and confidence in you, Don Diego de Gardoqui, commissary (*ordenader*) of my armies, charged with my affairs near the Congress of the said States, on

account of your capacity, understanding, and zeal, I have conferred upon you full power, that, with the person or persons whom the said States and their Congress shall equally authorize, you treat, adjust, and sign, whatever articles, compacts, and conventions, may be conducive to the regulations of the points herein alluded to, and of others which shall be conducive to the enjoyment of those important and beneficial objects. And that there may always be and subsist a good understanding, friendship, and union, between the crown of Spain and the United States of North America, I promise, on my royal word, to approve, ratify, and fulfil, and cause to be observed and fulfilled, exactly and entirely, whatsoever shall be by you stipulated and signed.

In faith whereof, I have caused to be despatched these presents, signed with my hand, sealed with my privy seal, and certified by my underwritten Councillor of State, my first Secretary for the Despatches of State, at St. Ildefonso, the 27th of September, 1784.

I THE KING.

JOSEPH MONINO.

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), I, 248.

52. Why England would not Treat (1785)

BY JOHN FREDERICK SACKVILLE, DUKE OF DORSET

Dorset was the English ambassador to the court of France. The commissioners to whom the letter was addressed were John Adams, Franklin, and Jefferson, who were authorized by Congress to negotiate treaties of commerce. — Bibliography as in No. 49 above.

Paris, March 26, 1785.

. . . HAVING communicated to my Court the readiness you expressed in your letter to me of the 9th of December, to remove to London, for the purpose of treating upon such points as may materially concern the interests, both political and commercial, of Great Britain and America, and having at the same time represented that you declared yourselves to be fully authorized and empowered to negotiate, I have been, in answer thereto, instructed to learn from you, gentlemen, what is the real nature of the powers with which you are invested, whether you are merely commissioned by Congress, or whether you have

received separate powers from the respective States. A committee of North American merchants have waited upon his Majesty's principal Secretary of State for foreign affairs, to express how anxiously they wished to be informed upon this subject, repeated experience having taught them in particular, as well as the public in general, how little the authority of Congress could avail in any respect, where the interests of any one individual State was even concerned, and particularly so, where the concerns of that particular State might be supposed to militate against such resolutions as Congress might think proper to adopt.

The apparent determination of the respective States to regulate their own separate interests, renders it absolutely necessary, towards forming a permanent system of commerce, that my Court should be informed how far the Commissioners can be duly authorized to enter into any engagements with Great Britain, which it may not be in the power of any one of the States to render totally fruitless and ineffectual.

The Diplomatic Correspondence of the United States of America, 1783–1789 (Washington, 1833), II, 297–298.

53. Presentation of the First American Minister to George Third (1785)

BY MINISTER JOHN ADAMS

John Adams's journal and letters of this period throw strong light on the foreign relations of the struggling Confederacy. This letter was written to John Jay, then secretary of foreign affairs. — For Adams, see Channing and Hart, *Guide*, § 25; *Contemporaries*, II, No. 24. — Bibliography as in No. 49 above.

Bath Hotel, Westminster, 2 June, 1785.

. . . DURING my interview with the Marquis of Carmarthen, he told me that it was customary for every foreign minister, at his first presentation to the King, to make his Majesty some compliments conformable to the spirit of his letter of credence; and when Sir Clement Cottrell Dormer, the master of the ceremonies, came to inform me that he should accompany me to the secretary of state and to Court, he said that every foreign minister whom he had attended to the Queen had always made a harangue to her Majesty, and he understood, though he had not been present, that they always harangued the King.

On Tuesday evening, the Baron de Lynden called upon me, and said

he came from the Baron de Nolken, and they had been conversing upon the singular situation I was in, and they agreed in opinion that it was indispensable that I should make a speech, and that that speech should be as complimentary as possible. All this was conformable to the advice lately given by the Count de Vergennes to Mr. Jefferson; so that, finding it was a custom established at both these great Courts, and that this Court and the foreign ministers expected it, I thought I could not avoid it, although my first thought and inclination had been to deliver my credentials silently and retire.

At one, on Wednesday, the master of ceremonies called at my house, and went with me to the secretary of state's office, in Cleveland Row, where the Marquis of Carmarthen received me, and introduced me to his under secretary, Mr. Fraser, who has been, as his Lordship told me, uninterruptedly in that office, through all the changes in administration for thirty years, having first been appointed by the Earl of Holderness. After a short conversation upon the subject of importing my effects from Holland and France free of duty, which Mr. Fraser himself introduced, Lord Carmarthen invited me to go with him in his coach to Court. When we arrived in the antechamber, the *œil de bœuf* of St. James's, the master of the ceremonies met me and attended me, while the secretary of state went to take the commands of the King. While I stood in this place, where it seems all ministers stand upon such occasions, always attended by the master of ceremonies, the room very full of ministers of state, lords, and bishops, and all sorts of courtiers, as well as the next room, which is the King's bedchamber, you may well suppose I was the focus of all eyes. I was relieved, however, from the embarrassment of it by the Swedish and Dutch ministers, who came to me, and entertained me in a very agreeable conversation during the whole time. Some other gentlemen, whom I had seen before, came to make their compliments too, until the Marquis of Carmarthen returned and desired me to go with him to his Majesty. I went with his Lordship through the levee room into the King's closet. The door was shut, and I was left with his Majesty and the secretary of state alone. I made the three reverences, — one at the door, another about half way, and a third before the presence, — according to the usage established at this and all the northern Courts of Europe, and then addressed myself to his Majesty in the following words: —

"Sir, — The United States of America have appointed me their minister plenipotentiary to your Majesty, and have directed me to de-

liver to your Majesty this letter which contains the evidence of it. It is in obedience to their express commands, that I have the honor to assure your Majesty of their unanimous disposition and desire to cultivate the most friendly and liberal intercourse between your Majesty's subjects and their citizens, and of their best wishes for your Majesty's health and happiness, and for that of your royal family. The appointment of a minister from the United States to your Majesty's Court will form an epoch in the history of England and of America. I think myself more fortunate than all my fellow-citizens, in having the distinguished honor to be the first to stand in your Majesty's royal presence in a diplomatic character; and I shall esteem myself the happiest of men, if I can be instrumental in recommending my country more and more to your Majesty's royal benevolence, and of restoring an entire esteem, confidence, and affection, or, in better words, the old good nature and the old good humor between people, who, though separated by an ocean, and under different governments, have the same language, a similar religion, and kindred blood.

"I beg your Majesty's permission to add, that, although I have some time before been intrusted by my country, it was never in my whole life in a manner so agreeable to myself."

The King listened to every word I said, with dignity, but with an apparent emotion. Whether it was the nature of the interview, or whether it was my visible agitation, for I felt more than I did or could express, that touched him, I cannot say. But he was much affected, and answered me with more tremor than I had spoken with, and said: —

"Sir, — The circumstances of this audience are so extraordinary, the language you have now held is so extremely proper, and the feelings you have discovered so justly adapted to the occasion, that I must say that I not only receive with pleasure the assurance of the friendly dispositions of the United States, but that I am very glad the choice has fallen upon you to be their minister. I wish you, sir, to believe, and that it may be understood in America, that I have done nothing in the late contest but what I thought myself indispensably bound to do, by the duty which I owed to my people. I will be very frank with you. I was the last to consent to the separation; but the separation having been made, and having become inevitable, I have always said, as I say now, that I would be the first to meet the friendship of the United States as an independent power. The moment I see such sentiments

and language as yours prevail, and a disposition to give to this country the preference, that moment I shall say, let the circumstances of language, religion, and blood have their natural and full effect."

I dare not say that these were the King's precise words, and, it is even possible, that I may have in some particular mistaken his meaning; for, although his pronunciation is as distinct as I ever heard, he hesitated some time between his periods, and between the members of the same period. He was indeed much affected, and I confess I was not less so, and, therefore, I cannot be certain that I was so cool and attentive, heard so clearly, and understood so perfectly, as to be confident of all his words or sense; and, I think, that all which he said to me should at present be kept secret in America, unless his Majesty or his secretary of state, who alone was present, should judge proper to report it. This I do say, that the foregoing is his Majesty's meaning as I then understood it, and his own words as nearly as I can recollect them.

The King then asked me whether I came last from France, and upon my answering in the affirmative, he put on an air of familiarity, and, smiling, or rather laughing, said, "there is an opinion among some people that you are not the most attached of all your countrymen to the manners of France." I was surprised at this, because I thought it an indiscretion and a departure from the dignity. I was a little embarrassed, but determined not to deny the truth on one hand, nor leave him to infer from it any attachment to England on the other. I threw off as much gravity as I could, and assumed an air of gayety and a tone of decision as far as was decent, and said, "that opinion, sir, is not mistaken; I must avow to your Majesty, I have no attachment but to my own country." The King replied, as quick as lightning, "an honest man will never have any other."

The King then said a word or two to the secretary of state, which, being between them, I did not hear, and then turned round and bowed to me, as is customary with all kings and princes when they give the signal to retire. I retreated, stepping backward, as is the etiquette, and, making my last reverence at the door of the chamber, I went my way. The master of the ceremonies joined me the moment of my coming out of the King's closet, and accompanied me through the apartments down to my carriage, several stages of servants, gentlemen-porters and under-porters, roaring out like thunder, as I went along, "Mr. Adams's servants, Mr. Adams's carriage, &c." I have been thus minute, as it may be useful to others hereafter to know.

The conversation with the King congress will form their own judgment of. I may expect from it a residence less painful than I once expected, as so marked an attention from the King will silence many grumblers; but we can infer nothing from all this concerning the success of my mission.

There are a train of other ceremonies yet to go through, in presentations to the Queen, and visits to and from ministers and ambassadors, which will take up much time, and interrupt me in my endeavors to obtain all that I have at heart, — the objects of my instructions. It is thus the essence of things is lost in ceremony in every country of Europe. We must submit to what we cannot alter. Patience is the only remedy.

John Adams, *Works* (edited by Charles Francis Adams, Boston, 1853), VIII, 255–259.

PART IV

THE FEDERAL CONSTITUTION

CHAPTER IX — REASONS FOR A NEW CONSTITUTION

54. Need of Reform (1783)

BY DELEGATE ALEXANDER HAMILTON

These resolutions, drawn up when Hamilton was in Congress, lacked support and were never presented. From this time on, Hamilton and his opinions became increasingly important. He desired a strong central government, and hence worked strenuously for the adoption of the new Constitution, and as first secretary of the treasury sought to carry into practice his dominant idea of centralization. — For Hamilton, see P. L. Ford, *Bibliotheca Hamiltoniana; Contemporaries*, II, No. 173. — Bibliography: Channing and Hart, *Guide*, §§ 149–153.

WHEREAS, in the opinion of this congress, the confederation of the United States is defective in the following essential points.

First, and generally, in confining the fœderal government within too narrow limits; withholding from it that efficacious authority and influence in all matters of general concern, which are indispensable to the harmony and welfare of the whole; embarrassing general provisions by unnecessary details and inconvenient exceptions incompatible with their nature, tending only to create jealousies and disputes respecting the proper bounds of the authority of the United States, and of that of the particular states, and a mutual interference of the one with the other.

Secondly — In confounding legislative and executive powers in a *single* body; as that of determining on the number and quantity of force, land and naval, to be employed for the common defence, and of directing their operations when raised and equipped; with that of ascertaining and making requisitions for the necessary sums or quantities of money to be

paid by the respective states into the common treasury, contrary to the most approved and well-founded maxims of free government, which require that the LEGISLATIVE, EXECUTIVE, and JUDICIAL authorities should be deposited *in distinct and separate hands.*

Thirdly — In the want of a FEDERAL JUDICATURE, having cognizance of all matters of general concern in the last resort, especially those in which foreign nations and their subjects are interested; from which defect, by the interference of the local regulations of particular states militating, directly or indirectly, against the powers vested in the union, the national treaties will be liable to be infringed, the national faith to be violated, and the public tranquillity to be disturbed.

Fourthly — In vesting the United States, in congress assembled, with the *power of general taxation*, comprehended in that "of ascertaining the necessary sums of money to be raised for the common defence, and of appropriating and applying the same for defraying the public expenses;" and yet rendering that power, so essential to the existence of the union, nugatory, by withholding from them all control over either the imposition or the collection of the taxes for raising the sums required, whence it happens that the inclinations, not the abilities, of the respective states are, in fact, the criterion of their contributions to the common expense, and the public burden has fallen, and will continue to fall, with very unequal weight.

Fifthly — In fixing a rule for determining the proportion of each state towards the common expense, which, if practicable at all, must in the execution be attended with great expense, inequality, uncertainty, and difficulty.

Sixthly — In authorizing congress "to borrow money, or emit bills, on the credit of the United States," without the power of establishing funds to secure the repayment of the money or the redemption of the bills emitted, from which must result one of these evils — either a want of sufficient credit in the first instance to borrow, or to circulate the bills emitted, whereby in great national exigencies the public safety may be endangered, or, in the second instance, frequent infractions of the public engagements, disappointments to lenders, repetitions of the calamities of depreciating paper, a continuance of the injustice and mischiefs of an unfunded debt, and, first or last, the annihilation of public credit. Indeed, in authorizing congress at all to emit an *unfunded* paper as the sign of value; a resource, which, though useful in the infancy of this country, indispensable in the commencement of the revolution,

ought not to continue a formal part of the constitution, nor ever hereafter to be employed, being in its nature pregnant with abuses, and liable to be made the engine of imposition and fraud, holding out temptations equally pernicious to the integrity of government and to the morals of the people.

Seventhly — In not making proper or competent provision for interior or exterior defence: for interior defence, by leaving it to the individual states to appoint all regimental officers of the land forces, to raise the men in their own way, to clothe, arm, and equip them, at the expense of the United States; from which circumstances have resulted, and will hereafter result, great confusion in the military department, continual disputes of rank, languid and disproportionate levies of men, an enormous increase of expense for want of system and uniformity in the manner of conducting them, and from the competitions of state bounties; — by an ambiguity in the fourth clause of the sixth article, susceptible of a construction which would devolve upon the particular states in time of peace the care of their own defence both by sea and land, and would preclude the United States from raising a single regiment or building a single ship before a declaration of war, or an actual commencement of hostilities; a principle dangerous to the confederacy in different respects, by leaving the United States at all times unprepared for the defence of their common rights, obliging them to begin to raise an army and to build and equip a navy at the moment they would have occasion to employ them, and by putting into the hands of a few states, who from their local situations are more immediately exposed, all the standing forces of the country, thereby not only leaving the care of the safety of the whole to a part, which will naturally be both unwilling and unable to make effectual provision at its particular expense, but also furnishing grounds of jealousy and distrust between the states, unjust in its operation to those states in whose hands they are, by throwing the exclusive burden of maintaining those forces upon them, while their neighbours immediately, and all the states ultimately, would share the benefits of their services: for exterior defence, in authorizing congress "to build and equip a navy," without providing any means of manning it, either by requisitions of the states, by the power of registering and drafting the seamen in rotation, or by embargoes in cases of emergency, to induce them to accept employment on board the ships of war; the omission of all which leaves no other resource than voluntary enlistment; a resource which has been found ineffectual in every country, and for reasons of peculiar force, in this.

Eighthly — In not vesting in the United States A GENERAL SUPERINTENDENCE OF TRADE, equally necessary in the view of revenue and regulation: of revenue, because duties on commerce, when moderate, *are* among the most agreeable and productive species of it which cannot without great disadvantages be imposed by particular states, while others refrain from doing it, but must be imposed in concert, and by laws operating upon the same principles, at the same moment, in all the states; otherwise those states which should not impose them would engross the commerce of such of their neighbours as did: of regulation, because by general prohibitions of particular articles, by a judicious arrangement of duties, sometimes by bounties on the manufacture or exportation of certain commodities, injurious branches of commerce might be discouraged, favourable branches encouraged, useful products and manufactures promoted; none of which advantages can be effectually attained by separate regulations without a general superintending power; because, also, it is essential to the due observance of the commercial stipulations of the United States with foreign powers, an interference with which will be unavoidable if the different states have the exclusive regulation of their own trade, and of course the construction of the treaties entered into.

Ninthly — In defeating essential powers by provisoes and limitations inconsistent with their nature, as the power of making treaties with foreign nations, "provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the importation or exportation of any species of goods or commodities whatever;" a proviso susceptible of an interpretation which includes a constitutional possibility of defeating the treaties of commerce entered into by the United States. As also the power "of regulating the trade, and managing all affairs with the Indians, not members of any states; *provided*, that the legislative right of any state within its own limits be not infringed or violated," and others of a similar nature.

Tenthly — In granting the United States the sole power "of regulating the alloy and value of coin struck by their own authority, or by that of the respective states," without the power of regulating foreign coin in circulation, though one is essential to the due exercise of the other, as there ought to be such proportions maintained between the national and foreign coin, as will give the former a preference in all internal negotiations; and without the latter power, the operations of government, in a

matter of primary importance to the commerce and finances of the United States, will be exposed to numberless obstructions.

Eleventhly — In requiring the assent of nine states to matters of principal importance, and of seven to all others, except adjournments from day to day, a rule destructive of vigour, consistency, or expedition, in the administration of affairs, tending to subject the *sense* of the majority to *that* of the minority, by putting it in the power of a small combination to retard and even to frustrate the most necessary measures, and to oblige the greater number, in cases which require speedy determinations, as happens in the most interesting concerns of the community, to come into the views of the smaller; the evils of which have been felt in critical conjunctures, and must always make the spirit of government a spirit of compromise and expedience, rather than of system and energy.

Twelfthly — In vesting in the fœderal government the sole direction of the interests of the United States in their intercourse with foreign nations, without empowering it to pass ALL GENERAL LAWS in aid and support of the laws of nations; for the want of which authority, the faith of the United States may be broken, their reputation sullied, and their peace interrupted, by the negligence or misconception of any particular state.

And whereas experience hath clearly manifested that the powers reserved to the union in the confederation, are unequal to the purpose of effectually drawing forth the resources of the respective members, for *the common welfare and defence;* whereby the United States have, upon several occasions, been exposed to the most critical and alarming situations; have wanted an army adequate to their defence, and proportioned to the abilities of the country; have on account of that deficiency seen essential posts reduced — others imminently endangered — whole states, and large parts of others, overrun and ravaged by small bodies of the enemy's forces; have been destitute of sufficient means of feeding, clothing, paying, and appointing that army, by which the troops, rendered less efficient for military operations, have been exposed to sufferings, which nothing but unparalleled patience, perseverance, and patriotism could have endured. Whereas, also, the United States have been too often compelled to make the administration of their affairs a succession of temporary expedients, inconsistent with order, economy, energy, or a scrupulous adherence to the public engagements, and now find themselves, at the close of a glorious struggle for independence, without any certain means of doing justice to those who have been its principal sup-

porters — to an army which has bravely fought, and patiently suffered — to citizens who have cheerfully lent their money — and to others who have in different ways contributed their property and their personal service to the common cause; obliged to rely for the only effectual mode of doing that justice, by funding the debt on solid securities, on the precarious concurrence of thirteen distinct deliberatives, the dissent of either of which may defeat the plan, and leave these states, at this early period of their existence, involved in all the disgrace and mischiefs of violated faith and national bankruptcy. And whereas, notwithstanding we have, by the blessing of Providence, so far happily escaped the complicated dangers of such a situation, and now see the object of our wishes secured by an honourable peace, it would be unwise to hazard a repetition of the same dangers and embarrassments, in any future war in which these states may be engaged, or to continue this extensive empire under a government unequal to its protection and prosperity. And whereas, it is essential to the happiness and security of these states, that their union should be established on the most solid foundations, and it is manifest that this desirable object cannot be effected but by a GOVERNMENT, capable, both in peace and war, of making every member of the union contribute in just proportion to the common necessities, and of combining and directing the forces and wills of the several parts to a general end; to which purposes, in the opinion of congress, the present confederation is altoget[h]er inadequate. And whereas, on the spirit which may direct the councils and measures of these states, at the present juncture, may depend their future safety and welfare — Congress conceive it to be their duty, freely to state to their constituents the defects which, by experience, have been discovered in the present plan of the fœderal union, and solemnly to call their attention to a revisal and amendment of the same. Therefore resolved, That it be earnestly recommended to the several states to appoint a Convention, to meet at —— on the —— day of ——, with full powers to revise the confederation, and to adopt and propose such alterations as to them shall appear necessary, to be finally approved or rejected by the states respectively — and that a committee of —— be appointed to prepare an address upon the subject.

John C. Hamilton, *History of the Republic of the United States* (New York, 1858), II, 571–578.

55. A Schedule of Grievances (1786)

BY THE CONVENTION OF HAMPSHIRE COUNTY

These grievances of a Massachusetts county are characteristic of those of the rural classes throughout New England at this period. The convention was one of the opening scenes of Shays's Rebellion (see No. 58 below). — Bibliography: E. E. Sparks, *Topical Reference Lists*, § 40; G. R. Minot, *History of the Insurrections in Massachusetts*.

AT a meeting of delegates from fifty towns in the county of *Hampshire*, in convention held at *Hatfield*, in said county, on Tuesday, the 22d day of *August* instant [1786], and continued by adjournments until the twenty fifth, &c. Voted, that this meeting is constitutional.

THE convention from a thorough conviction of great uneasiness, subsisting among the people of this county and Commonwealth, then went into an inquiry for the cause; and, upon mature consideration, deliberation and debate, were of opinion, that many grievances and unnecessary burdens now lying upon the people, are the sources of that discontent so evidently discoverable throughout this Commonwealth. Among which the following articles were voted as such, viz.

1st. The existence of the Senate.

2d. The present mode of representation.

3d. The officers of government not being annually dependent on the representatives of the people, in General Court assembled, for their salaries.

4th. All the civil officers of government, not being annually elected by the Representatives of the people, in General Court assembled.

5th. The existence of the Courts of Common Pleas, and General Sessions of the Peace.

6th. The Fee Table as it now stands.

7th. The present mode of appropriating the impost and excise.

8th. The unreasonable grants made to some of the officers of government.

9th. The supplementary aid.

10th. The present mode of paying the governmental securities.

11th. The present mode adopted for the payment and speedy collection of the last tax.

12th. The present mode of taxation as it operates unequally between the polls and estates, and between landed and mercantile interests.

13th. The present method of practice of the attornies at law.

14th. The want of a sufficient medium of trade, to remedy the mischiefs arising from the scarcity of money.

15th. The General Court sitting in the town of *Boston.*

16th. The present embarrassments on the press.

17th. The neglect of the settlement of important matters depending between the Commonwealth and Congress, relating to monies and averages.

18th. Voted, This convention recommend to the several towns in this country, that they instruct their Representatives, to use their influence in the next General Court, to have emitted a bank of paper money, subject to a depreciation; making it a tender in all payments, equal to silver and gold, to be issued in order to call in the Commonwealth's securities.

19th. Voted, That whereas several of the above articles of grievances, arise from defects in the constitution; therefore a revision of the same ought to take place.

20th. Voted, That it be recommended by this convention to the several towns in this county, that they petition the Governour to call the General Court immediately together, in order that the other grievances complained of, may by the legislature, be redressed.

21st. Voted, That this convention recommend it to the inhabitants of this county, that they abstain from all mobs and unlawful assemblies, until a constitutional method of redress can be obtained.

22d. Voted, That Mr. *Caleb West* be desired to transmit a copy of the proceedings of this convention to the convention of the county of *Worcester.*

23d. Voted, That the chairman of this convention be desired to transmit a copy of the proceedings of this convention to the county of *Berkshire.*

24th. Voted, That the chairman of this convention be directed to notify a county convention, upon any motion made to him for that purpose, if he judge the reasons offered be sufficient, giving such notice, together with the reasons therefor, in the publick papers of this county.

25th. Voted, That a copy of the proceedings of this convention be sent to the press in *Springfield* for publication.

George Richards Minot, *The History of the Insurrections in Massachusetts, in the year MDCCLXXXVI* (Worcester, 1788), 34–37.

56. The Annapolis Convention (1786)

BY ACTING MINISTER LOUIS GUILLAUME OTTO

(Anonymous Translation, 1882)

The Annapolis Convention was a direct forerunner of the Federal Convention of 1787. — For Otto, and for Vergennes, to whom this letter was addressed October 10, 1786, see No. 45 above. — Bibliography: E. E. Sparks, *Topical Reference Lists*, § 42. — The proceedings of the convention are in Elliot, *Debates*, I, 116–120.

. . THE commissioners appointed by various states to propose a general plan of commerce, and to give to congress the powers necessary to execute it, assembled at Annapolis in the course of last month. But five states alone being represented, they did not think it best to enter into the main question, and confined themselves to addressing to congress and the different legislatures a report which characterizes the present spirit of the politics of this country.

In translating this report I have not merely taken the pains to put it into French, but to render it intelligible. The effort was made to give to the original an obscurity which the people will penetrate with difficulty, but which the strong and enlightened citizens will not fail to turn to account.

For a very long time, my lord, the necessity of imparting to the federal government more energy and vigor has been felt, but it has also been felt that the excessive independence granted to the citizens, as regards the states, and to the states as regards congress, is too dear to individuals for them to be deprived of it without great precautions.

The people are not ignorant that the natural consequences of an increase of power in the government would be a regular collection of taxes, a strict administration of justice, extraordinary duties on imports, rigorous executions against debtors — in short, a marked preponderance of rich men and of large proprietors.

It is, however, for the interest of the people to guard as much as possible the absolute freedom granted them in a time when no other law was known but necessity, and when an English army, as it were, laid the foundations of the political constitution.

In those stormy times it was necessary to agree that all power ought to emanate only from the people; that everything was subject to its supreme will, and that the magistrates were only its servants.

Although there are no nobles in America, there is a class of men denominated "gentlemen," who, by reason of their wealth, their talents, their education, their families, or the offices they hold, aspire to a pre-eminence which the people refuse to grant them; and, although many of these men have betrayed the interests of their order to gain popularity, there reigns among them a connection so much the more intimate as they almost all of them dread the efforts of the people to despoil them of their possessions, and, moreover, they are creditors, and therefore interested in strengthening the government, and watching over the execution of the laws.

These men generally pay very heavy taxes, while the small proprietors escape the vigilance of the collectors.

The majority of them being merchants, it is for their interest to establish the credit of the United States in Europe on a solid foundation by the exact payment of debts, and to grant to congress powers extensive enough to compel the people to contribute for this purpose. The attempt, my lord, has been vain, by pamphlets and other publications, to spread notions of justice and integrity, and to deprive the people of a freedom which they have so misused. By proposing a new organization of the federal government all minds would have been revolted; circumstances ruinous to the commerce of America have happily arisen to furnish the reformers with a pretext for introducing innovations.

They represented to the people that the American name had become opprobrious among all the nations of Europe; that the flag of the United States was everywhere exposed to insults and annoyance; the husbandman, no longer able to export his produce freely, would soon be reduced to extreme want; it was high time to retaliate, and to convince foreign powers that the United States would not with impunity suffer such a violation of the freedom of trade, but that strong measures could be taken only with the consent of the thirteen states, and that congress, not having the necessary powers, it was essential to form a general assembly instructed to present to congress the plan for its adoption, and to point out the means of carrying it into execution.

The people, generally discontented with the obstacles in the way of commerce, and scarcely suspecting the secret motives of their opponents, ardently embraced this measure, and appointed commissioners, who were to assemble at Annapolis in the beginning of September.

The authors of this proposition had no hope, nor even desire, to see the success of this assembly of commissioners, which was only intended

to prepare a question much more important than that of commerce. The measures were so well taken that at the end of September no more than five states were represented at Annapolis, and the commissioners from the northern states tarried several days at New York, in order to retard their arrival.

The states which assembled, after having waited nearly three weeks, separated under the pretext that they were not in sufficient numbers to enter on business, and, to justify this dissolution, they addressed to the different legislatures and to congress a report, the translation of which I have the honor to enclose to you.

In this paper the commissioners employ an infinity of circumlocutions and ambiguous phrases to show to their constituents the impossibility of taking into consideration a general plan of commerce and the powers pertaining thereto, without at the same time touching upon other objects closely connected with the prosperity and national importance of the United States.

Without enumerating these objects, the commissioners enlarge upon the present crisis of public affairs, upon the dangers to which the confederation is exposed, upon the want of credit of the United States abroad, and upon the necessity of uniting, under a single point of view, the interests of all the states.

They close by proposing, for the month of May next, a new assembly of commissioners, instructed to deliberate not only upon a general plan of commerce, but upon other matters which may concern the harmony and welfare of the states, and upon the means of rendering the federal government adequate to the exigencies of the union.

In spite of the obscurity of this document, you will perceive, my lord, that the commissioners were unwilling to take into consideration the grievances of commerce, which are of exceeding interest for the people, without at the same time perfecting the fundamental constitution of congress.

It is hoped that new commissioners will be appointed, with ample powers to deliberate on these important objects, and to place congress in a position not only to form resolutions for the prosperity of the union, but to execute them.

George Bancroft, *History of the Formation of the Constitution of the United States* (New York, 1882), II, Appendix, 399–401.

57. The Crisis (1786)

BY GEORGE WASHINGTON

Although Washington was in retirement at Mount Vernon, his opinion on all important questions was constantly sought by the political leaders. These letters, dated respectively October 31 and November 5, 1786, were in reply to Henry Lee, a delegate to Congress, and James Madison. — For Washington, see Winsor, *Narrative and Critical History*, VII, 299–301; *Contemporaries*, II, No. 195. — Bibliography as in No. 54 above.

A. TO HENRY LEE

THE picture which you have exhibited, and the accounts which are published of the commotions and temper of numerous bodies in the eastern States, are equally to be lamented and deprecated. They exhibit a melancholy proof of what our transatlantic foe has predicted; and of another thing perhaps, which is still more to be regretted, and is yet more unaccountable, that mankind, when left to themselves, are unfit for their own government. I am mortified beyond expression when I view the clouds, that have spread over the brightest morn that ever dawned upon any country. In a word, I am lost in amazement when I behold what intrigue, the interested views of desperate characters, ignorance, and jealousy of the minor part, are capable of effecting, as a scourge on the major part of our fellow citizens of the Union; for it is hardly to be supposed, that the great body of the people, though they will not act, can be so shortsighted or enveloped in darkness, as not to see rays of a distant sun through all this mist of intoxication and folly.

You talk, my good Sir, of employing influence to appease the present tumults in Massachusetts. I know not where that influence is to be found, or, if attainable, that it would be a proper remedy for the disorders. *Influence* is no *government*. Let us have one by which our lives, liberties, and properties will be secured, or let us know the worst at once. Under these impressions, my humble opinion is, that there is a call for decision. Know precisely what the insurgents aim at. If they have *real* grievances, redress them if possible; or acknowledge the justice of them, and your inability to do it in the present moment. If they have not, employ the force of government against them at once. If this is inadequate, *all* will be convinced, that the superstructure is bad, or wants support. To be more exposed in the eyes of the world, and more contemptible than we already are, is hardly possible. To

delay one or the other of these, is to exasperate on the one hand, or to give confidenve on the other, and will add to their numbers; for, like snow-balls, such bodies increase by every movement, unless there is something in the way to obstruct and crumble them before the weight is too great and irresistible.

These are my sentiments. Precedents are dangerous things. Let the reins of government then be braced and held with a steady hand, and every violation of the constitution be reprehended. If defective, let it be amended, but not suffered to be trampled upon whilst it has an existence.

With respect to the navigation of the Mississippi, you already know my sentiments thereon. They have been uniformly the same, and, as I have observed to you in a former letter, are controverted by one consideration, only of weight, and that is, the operation which the conclusion of it may have on the minds of the western settlers, who will not consider the subject in a relative point of view, or on a comprehensive scale, and may be influenced by the demagogues of the country to acts of extravagance and desperation, under a popular declamation, that their interests are sacrificed. . . . But in all matters of great national moment, the only true line of conduct, in my opinion, is dispassionately to compare the advantages and disadvantages of the measure proposed, and decide from the balance. The lesser evil, where there is a choice of them, should always yield to the greater. What benefits, more than we now enjoy, are to be obtained by such a treaty as you have delineated with Spain, I am not enough of a commercial man to give any opinion on. . . .

B. TO JAMES MADISON

I THANK you for the communications in your letter of the 1st instant. The decision of the House on the question respecting a paper emission is portentous, I hope, of an auspicious session. It certainly may be classed with the important questions of the present day, and merited the serious attention of the Assembly. Fain would I hope, that the great and most important of all subjects, the *federal government*, may be considered with that calm and deliberate attention, which the magnitude of it so critically and loudly calls for at this critical moment. Let prejudices, unreasonable jealousies, and local interests, yield to reason and liberality. Let us look to our national character, and to things beyond the present moment. No morn ever dawned more

favorably than ours did; and no day was ever more clouded than the present. Wisdom and good examples are necessary at this time to rescue the political machine from the impending storm. Virginia has now an opportunity to set the latter, and has enough of the former, I hope, to take the lead in promoting this great and arduous work. Without an alteration in our political creed, the superstructure we have been seven years in raising, at the expense of so much treasure and blood, must fall. We are fast verging to anarchy and confusion.

By a letter which I have received from General Knox, who had just returned from Massachusetts, whither he had been sent by Congress consequent of the commotions in that State, is replete with melancholy accounts of the temper and designs of a considerable part of that people. Among other things he says:

"Their creed is, that the property of the United States has been protected from the confiscation of Britain by the joint exertions of *all;* and therefore ought to be the *common property of all;* and he that attempts opposition to this creed, is an enemy to equity and justice, and ought to be swept from off the face of the earth." Again: "They are determined to annihilate all debts, public and private, and have agrarian laws, which are easily effected by the means of unfunded paper money, which shall be a tender in all cases whatever." He adds: "The number of these people amount in Massachusetts to about one fifth part of several populous counties, and to them may be collected people of similar sentiments from the States of Rhode Island, Connecticut, and New Hampshire, so as to constitute a body of about twelve or fifteen thousand desperate and unprincipled men. They are chiefly of the young and active part of the community."

How melancholy is the reflection, that in so short a space we should have made such large strides towards fulfilling the predictions of our transatlantic foes! "Leave them to themselves, and their government will soon dissolve." Will not the wise and good strive hard to avert this evil? Or will their supineness suffer ignorance, and the arts of self-interested, designing, disaffected, and desperate characters, to involve this great country in wretchedness and contempt? What stronger evidence can be given of the want of energy in our government, than these disorders? If there is not power in it to check them, what security has a man for life, liberty, or property? To you I am sure I need not add aught on this subject. The consequences of a lax or inefficient government are too obvious to be dwelt upon. Thirteen sovereignties pulling against each other, and all tugging at the federal head, will soon bring ruin on the whole; whereas a liberal and energetic constitution, well guarded and closely watched to prevent encroachments, might restore

us to that degree of respectability and consequences, to which we had a fair claim and the brightest prospect of attaining. . . .

George Washington, *Writings* (edited by Worthington Chauncey Ford, New York, etc., 1891), XI, 76–82 *passim*.

58. Shays's Rebellion (1786–1787)

BY GENERAL BENJAMIN LINCOLN

Lincoln rose to the rank of major-general in the Revolutionary army, and commanded the Massachusetts militia that quelled Shays's Rebellion. This letter was addressed to Washington. — For Lincoln, see Winsor, *Narrative and Critical History*, VI, 513. — Bibliography as in No. 55 above.

Hingham, Dec'r. 4th, 1786.

I CANNOT . . . be surprized to hear your Excellency inquire, "are your people getting mad? are we to have the goodly fabric, that eight years were spent in raising, pulled over our heads? what is the cause of all these commotions? when and how will they end?" Although I cannot pretend to give a full and complete answer to them, yet I will make some observations which shall involve in them the best answers to the several questions in my power to give.

"Are your people getting mad?" Many of them appear to be absolutely so, if an attempt to annihilate our present constitution and dissolve the present government can be considered as evidences of insanity.

"Are we to have the goodly fabric, that eight years were spent in rearing, pulled over our heads?" There is great danger that it will be so, I think, unless the tottering system shall be supported by arms, and even then a government which has no other basis than the point of the bayonet, should one be suspended thereon, is so totally different from the one established, at least in idea, by the different States that if we must have recourse to the sad experiment of arms it can hardly be said that we have supported "the goodly fabric." In this view of the matter, it may be "pulled over our heads." This probably will be the case, for there doth not appear to be virtue enough among the people to preserve a perfect republican government.

"What is the cause of all these commotions?" The causes are too many and too various for me to pretend to trace and point them out. I shall therefore only mention some of those which appear to be the princi-

pal ones. Among those I may rank the ease with which property was acquired, with which credit was obtained, and debts were discharged in the time of the war. Hence people were diverted from their usual industry and aeconomy. A luxuriant mode of living crept into vogue, and soon that income, by which the expenses of all should as much as possible be limited, was no longer considered as having any thing to do with the question at what expense families ought to live, or rather which they ought not to have exceeded. The moment the day arrived when all discovered that things were fast returning back into their original channels, that the industrious were to reap the fruits of their industry, and that the indolent and improvident would soon experience the evils of their idleness and sloth, very many startled at the idea, and instead of attempting to subject themselves to such a line of conduct, which duty to the public and a regard to their own happiness evidently pointed out, they contemplated how they should evade the necessity of reforming their system and of changing their present mode of life, they first complained of commutation, of the weight of public taxes, of the insupportable debt of the Union, of the scarcity of money, and of the cruelty of suffering the private creditors to call for their just dues. This catalogue of complaints was listened to by many. County conventions were formed, and the cry for paper money, subject to depreciation, as was declared by some of their public resolves, was the clamor of the day. But notwithstanding instructions to members of the General Court and petitions from different quarters, the majority of that body were opposed to the measures. Failing of their point, the disaffected in the first place attempted, and in many instances succeeded [,] to stop the courts of law, and to suspend the operations of government. This they hoped to do untill they could by force sap the foundations of our constitution, and bring into the Legislature creatures of their own by which they could mould a government at pleasure, and make it subservient to all their purposes, and when an end should thereby be put to public and private debts, the agrarian law might follow with ease. In short, the want of industry, œconomy, and common honesty seem to be the causes of the present commotions.

It is impossible for me to determine "when and how they will end;" as I see little probability that they will be brought to a period, and the dignity of government supported, without bloodshed. When a single drop is drawn, the most prophetic spirit will not, in my opinion, be able to determine when it will cease flowing. The proportion of debtors run

high in this State. Too many of them are against the government. The men of property and the holders of the public securities are generally supporters of our present constitution. Few of these have been in the field, and it remains quite problematical whether they will in time so fully discover their own interests as they shall be induced thereby to lend for a season part of their property for the security of the remainder. If these classes of men should not turn out on the broad scale with spirit, and the insurgents should take the field and keep it, our constitution will be overturned, and the federal government broken in upon by lopping off one branch essential to the well being of the whole. This cannot be submitted to by the United States with impunity. They must send force to our aid: when this shall be collected, they will be equal to *all* purposes. . . .

[February 22, 1787.] I had constant applications from Committees, and Selectmen of the several towns in the Counties of Worcester and Hampshire, praying that the effusion of blood might be avoided; while the real design, as was supposed, of these applications was to stay our operations until a new Court should be elected. They had no doubt if they could keep up their influence until another choice of the Legislature and the Executive that matters might be moulded in General Court to their wishes. This to avoid was the duty of government. As all these applications breathed the same spirit, the same answer was given to them. . . .

In this position I remained refreshing the troops who had suffered very severe fatigue. This also gave time for the several towns to use their influence with their own people to return, if they thought proper to urge it, and to circulate among Shays' men that they would be recommended for a pardon if they would come in, and lay down their arms. The 2^{d} of February I was induced to reconnoitre Shays' post on his right, left, and rear. I had received information by General Putnam before, that we could not approach him in front. I intended to have approached him on the 3rd inst. This reconnoitering gave him an alarm. At 3 o'Clock in the morning of the 3^{d}, I received an application from Wheeler, that he wished to confer with General Putnam. His request was granted. He seemed to have no object but his personal safety. No encouragement being given him on this head, he returned a little after noon. In the evening of the same day, I was informed that Shays had left his ground, and had pointed his rout towards Petersham in the County of Worcester, where he intended to make a stand as

a number of Towns in the vicinity had engaged to support him. Our troops were put in motion at 8 o'Clock. The first part of the night was pleasant, and the weather clement, but between two and three o'Clock in the morning, the wind shifting to the Westward, it became very cold and squally, with considerable snow. The wind immediately arose very high, and with the light snow which fell the day before and was falling, the paths were soon filled up, the men became fatigued, and they were in a part of the country where they could not be covered in the distance of eight miles, and the cold was so increased, that they could not halt in the road to refresh themselves. Under these circumstances they were obliged to continue their march. We reached Petersham about 9 o'Clock in the morning exceedingly fatigued with a march of thirty miles, part of it in a deep snow and in a most violent storm; when this abated, the cold increased and a great proportion of our men were frozen in some part or other, but none dangerously. We approached nearly the centre of the Town, where Shays had covered his men; and had we not been prevented from the steepness of a large hill at our entrance, and the depth of the snow, from throwing our men rapidly into it we should have arrested very probably one half this force; for they were so surprized as it was that they had not time to call in their out-parties, or even their guards. About 150 fell into our hands, and none escaped but by the most precipitate flight in different directions.

Thus that body of men who were a few days before offering the grossest insults to the best citizens of this Commonwealth, and were menacing even government itself, were now nearly dispersed, without the shedding of blood but in an instance or two where the Insurgents rushed on their own destruction. That so little has been shed is owing in a measure to the patience and obedience, the zeal and the fortitude in our troops, which would have done honor to veterans. A different line of conduct which Shays flattered his troops would have been followed, would have given them support, and led them to acts of violence, whilst it must have buoyed up the hopes of their abettors, and stimulated them to greater exertions. . . .

. . . I at once threw detachments into different parts of the County, for the purpose of protecting the friends to government and apprehending those who had been in arms against it. This business is pretty fully accomplished, and there are no insurgents together in arms in the State.

From the papers of General Benjamin Lincoln, *Sparks MSS.* (Harvard College Library), LVII, 2–25 *passim*.

59. Failure of the Confederation (1787)

BY SECRETARY JOHN JAY

Jay's career gave him authority to speak upon the failings of the Confederation. He had been president of Congress, minister to Spain, negotiator of peace with England, and during the last four years of the Confederation he was secretary of foreign affairs. This letter was addressed to Washington. — For Jay, see Channing and Hart, *Guide*, § 25. — Bibliography as in No. 54 above.

New York, 7th January, 1787.

. . . THEY who regard the public good with more attention and attachment than they do mere personal concerns must feel and confess the force of such sentiments as are expressed in your letter to me by Colonel Humphrey last fall. The situation of our affairs calls not only for reflection and prudence, but for exertion. What is to be done? is a common question not easy to answer.

Would the giving *any* further degree of power to Congress do the business? I am much inclined to think it would not, for among other reasons there will always be members who will find it convenient to make their seats subservient to partial and personal purposes; and they who may be able and willing to concert and promote useful and national measures will seldom be unembarrassed by the ignorance, prejudices, fears, or interested views of others.

In so large a body secrecy and despatch will be too uncommon; and foreign as well as local influence will frequently oppose and sometimes prostrate the worst [wisest?] measures. Large assemblies often misunderstand or neglect the obligations of character, honour, and dignity, and will collectively do or omit things which individual gentlemen in private capacities would not approve. As the many divide blame and also divide credit, too little a portion of either falls to each man there [man's share?] to affect him strongly, even in cases where the whole blame or the whole credit must be national. It is not easy for those to think and feel as sovereigns who have been always accustomed to think and feel as subjects.

The executive business of sovereignty depending on so many wills, and those wills moved by such a variety of contradictory motives and inducements, will in general be but feebly done. Such a sovereignty, however theoretically responsible, cannot be effectually so in its departments and officers without adequate judicatories. I therefore promise myself nothing very desirable from any change which does not divide

the sovereignty into its proper departments. Let Congress legislate — let others execute — let others judge.

Shall we have a king? Not in my opinion while other experiments remain untried. Might we not have a governor-general limited in his prerogatives and duration? Might not Congress be divided into an upper and lower house — the former appointed for life, the latter annually, — and let the governor-general (to preserve the balance), with the advice of a council, formed for that only purpose, of the great judicial officers, have a negative on their acts? Our government should in some degree be suited to our manners and circumstances, and they, you know, are not strictly democratical. What powers should be granted to the government so constituted is a question which deserves much thought. I think the more the better, the States retaining only so much as may be necessary for domestic purposes, and all their principal officers, civil and military, being commissioned and removable by the national government. These are short hints. Details would exceed the limits of a letter, and to you be superfluous.

A convention is in contemplation, and I am glad to find your name among those of its intended members. To me the policy of *such* a convention appears questionable; their authority is to be derived from acts of the State legislatures. Are the State legislatures authorized, either by themselves or others, to alter constitutions? I think not; they who hold commissions can by virtue of them neither retrench nor extend the powers conveyed to them. Perhaps it is intended that this convention shall not ordain, but only recommend; if so, there is danger that their recommendations will produce endless discussion, perhaps jealousies and party heats.

Would it not be better for Congress plainly and in strong terms to declare that the present Federal Government is inadequate to the purposes for which it was instituted; that they forbear to point out its particular defects or to ask for an extension of any particular powers, lest improper jealousies should thence arise; but that in their opinion it would be expedient for the people of the States without delay to appoint State conventions (in the way they choose their general assemblies), with the sole and express power of appointing deputies to a general convention who, or the majority of whom, should take into consideration the Articles of Confederation, and make such alterations, amendments, and additions thereto as to them should appear necessary and proper, and which being by them ordained and published should have

the same force and obligation which all or any of the present articles now have? No alterations in the government should, I think, be made, nor if attempted will easily take place, unless deducible from the only source of just authority — *the People*.

John Jay, *Correspondence and Public Papers* (edited by Henry P. Johnston, New York, etc., [1891]), III, 226–229.

CHAPTER X—THE FEDERAL CONVENTION

60. Call of a Convention (1787)

BY THE CONGRESS OF THE UNITED STATES

Six states had already appointed delegates to the convention before Congress issued this call. The form of the resolution as adopted aimed, by ignoring the Annapolis Convention, to preserve the initiative of Congress, and, by referring to the suggestions of the states, to prevent suspicion that Congress was ambitious for greater power. — Bibliography: Channing and Hart, *Guide*, § 154.

[February 21.] CONGRESS assembled — Present as before [Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Virginia, Maryland, North Carolina, South Carolina, and Georgia].

The report of a grand committee, consisting of Mr. Dane, Mr. Varnum, Mr. S. M. Mitchell, Mr. Smith, Mr. Cadwallader, Mr. Irvine, Mr. N. Mitchell, Mr. Forrest, Mr. Grayson, Mr. Blount, Mr. Bull and Mr. Few, to whom was referred a letter of 14th September, 1786, from J. Dickinson, written at the request of commissioners from the states of Virginia, Delaware, Pennsylvania, New-Jersey and New-York, assembled at the city of Annapolis, together with a copy of the report of the said commissioners, to the legislatures of the states by whom they were appointed, being an order of the day, was called up, and which is contained in the following resolution, viz.

"Congress having had under consideration the letter of John Dickinson, Esq. chairman of the commissioners, who assembled at Annapolis, during the last year; also the proceedings of the said commissioners, and intirely coinciding with them, as to the inefficiency of the federal government, and the necessity of devising such farther provisions as shall render the same adequate to the exigencies of the union, do strongly recommend to the different legislatures to send forward delegates, to meet the proposed convention, on the second Monday in May next, at the city of Philadelphia."]

The delegates for the state of New-York, thereupon laid before Con-

gress instructions which they had received from their constituents, and in pursuance of the said instructions, moved to postpone the farther consideration of the report, in order to take up the following proposition, viz.

"That it be recommended to the states composing the union, that a convention of representatives from the said states respectively, be held at , on , for the purpose of revising the articles of confederation and perpetual union between the United States of America, and reporting to the United States in Congress assembled, and to the states respectively, such alterations and amendments of the said articles of confederation, as the representatives met in such convention, shall judge proper and necessary to render them adequate to the preservation and support of the union."

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by the delegates for New-York.

Massachusetts,	Mr. King	*ay*	*ay*
	Mr. Dane	*ay*	
Connecticut,	Mr. Johnson,	*ay*	*dd*
	Mr. S. Mitchell	*no*	
New-York,	Mr. Smith	*ay*	*ay*
	Mr. Benson	*ay*	
New-Jersey,	Mr. Cadwallader	*ay*	*no*
	Mr. Clarke	*no*	
	Mr. Scheurman	*no*	
Pennsylvania,	Mr. Irvine	*no*	*no*
	Mr. Meredith	*ay*	
	Mr. Bingham	*no*	
Delaware,	Mr. N. Mitchell	*no*	*
Maryland,	Mr. Forrest	*no*	*
Virginia,	Mr. Grayson	*ay*	*ay*
	Mr. Madison	*ay*	
North-Carolina,	Mr. Blount	*no*	*no*
	Mr. Hawkins	*no*	
South-Carolina,	Mr. Bull	*no*	*no*
	Mr. Kean	*no*	
	Mr. Huger	*no*	
	Mr. Parker	*no*	
Georgia,	Mr. Few	*ay*	*dd*
	Mr. Pierce	*no*	

So the question was lost.

A motion was then made by the delegates for Massachusetts, to postpone the farther consideration of the report, in order to take into consideration, a motion which they read in their place; this being agreed to, the motion of the delegates for Massachusetts was taken up, and being amended, was agreed to as follows:

Whereas there is provision in the articles of confederation and perpetual union, for making alterations therein, by the assent of a Congress of the United States, and of the legislatures of the several states; and whereas experience hath evinced, that there are defects in the present confederation, as a mean to remedy which, several of the states, and particularly the state of New-York, by express instructions to their delegates in Congress, have suggested a convention for the purposes expressed in the following resolution; and such convention appearing to be the most probable mean of establishing in these states a firm national government,

Resolved, That in the opinion of Congress, it is expedient, that on the second Monday in May next, a convention of delegates, who shall have been appointed by the several states, be held at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to Congress and the several legislatures, such alterations and provisions therein, as shall, when agreed to in Congress, and confirmed by the states, render the federal constitution adequate to the exigencies of government, and the preservation of the union.

Journals of Congress, November 6, 1786–November 5, 1787 ([Philadelphia], 1787), XII, 15–17.

61. Good Advice in Bad Verse (1787)

BY REVEREND TIMOTHY DWIGHT

Dwight was an advocate of an efficient federal government, holding closely to Hamilton's views (see No. 54 above). — For Dwight, see Tyler, *Literary History of the Revolution*, II, 173–174; *Contemporaries*, II, No. 164.

BE then your counsels, as your subject, great,
A world their sphere, and time's long reign their date.
Each party-view, each private good, disclaim,
Each petty maxim, each colonial aim;
Let all Columbia's weal your views expand,
A mighty system rule a mighty land;

Yourselves her genuine sons let Europe own,
Not the small agents of a paltry town.
Learn, cautious, what to alter, where to mend;
See to what close projected measures tend.
From pressing wants the mind averting still,
Thinks good remotest from the present ill:
From feuds anarchial to oppression's throne,
Misguided nations hence for safety run;
And through the miseries of a thousand years,
Their fatal folly mourn in bloody tears.
Ten thousand follies thro' Columbia spread;
Ten thousand wars her darling realms invade.
The private interest of each jealous state;
Of rule the impatience, and of law the hate.
But ah! from narrow springs these evils flow,
A few base wretches mingle general woe;
Still the same mind her manly race pervades;
Still the same virtues haunt the hallow'd shades.
But when the peals of war her centre shook,
All private aims the anxious mind forsook.
In danger's iron-bond her race was one,
Each separate good, each little view unknown.
Now rule, unsystem'd, drives the mind astray;
Now private interest points the downward way:
Hence civil discord pours her muddy stream,
And fools and villains float upon the brim;
O'er all, the sad spectator casts his eye,
And wonders where the gems and minerals lie.
But ne'er of freedom, glory, bliss, despond:
Uplift your eyes those little clouds beyond;
See there returning suns, with gladdening ray,
Roll on fair spring to chase this wint'ry day.
'Tis yours to bid those days of Eden shine:
First, then, and last, the federal bands entwine:
To this your every aim and effort bend:
Let all your efforts here commence and end.
O'er state concerns, let every state preside;
Its private tax controul; its justice guide;
Religion aid; the morals to secure;

And bid each private right thro' time endure.
Columbia's interests public sway demand,
Her commerce, impost, unlocated land;
Her war, her peace, her military power;
Treaties to seal with every distant shore;
To bid contending states their discord cease;
To send thro' all the calumet of peace;
Science to wing thro' every noble flight;
And lift desponding genius into light.
Thro' every state to spread each public law,
Interest must animate, and force must awe.
Persuasive dictates realms will ne'er obey;
Sway, uncoercive, is the shade of sway.
Be then your task to alter, aid, amend;
The weak to strengthen, and the rigid bend;
The prurient lop; what's wanted to supply;
And graft new scions from each friendly sky.
Slow, by degrees, politic systems rise;
Age still refines them, and experience tries.
This, this alone consolidates, improves;
Their sinews strengthens; their defects removes;
Gives that consistence time alone can give;
Habituates men by law and right to live;
To gray-hair'd rules increasing reverence draws;
And wins the slave to love e'en tyrant laws.
But should Columbia, with distracted eyes,
See o'er her ruins one proud monarch rise;
Should vain partitions her fair realms divide,
And rival empires float on faction's tide;
Lo fix'd opinions 'gainst the fabric rage!
What wars, fierce passions with fierce passions wage!
From Cancer's glowing wilds, to Brunswick's shore,
Hark, how the alarms of civil discord roar!
"To arms," the trump of kindled warfare cries,
And kindred blood smokes upward to the skies.
As Persia, Greece, so Europe bids her flame,
And smiles, with eye malignant, o'er her shame.
Seize then, oh! seize Columbia's golden hour;
Perfect her federal system, public power;

For this stupendous realm, this chosen race,
With all the improvements of all lands its base,
The glorious structure build; its breadth extend;
Its columns lift, its mighty arches bend!
Or [on?] freedom, science, arts, its stories shine,
Unshaken pillars of a frame divine;
Far o'er the Atlantic wild its beams aspire,
The world approves it, and the heavens admire;
O'er clouds, and suns, and stars, its splendours rise,
Till the bright top-stone vanish in the skies.

The Columbian Muse (J. Carey, New York, 1794), 46–48.

62. Preparations for the Convention (1787)

BY DELEGATE GEORGE MASON

Mason was a delegate from Virginia. He was prominent in the debates, advocated popular measures, denounced the slave trade, and finally refused to sign the Constitution because of its aristocratic tendencies. He was a very able debater (see No. 63 below). This letter was addressed to his son, George Mason, Jr. — Bibliography as in No. 60 above.

PHILADELPHIA, May 20th, 1787.

. . . UPON our arrival here on Thursday evening, seventeenth May, I found only the States of Virginia and Pennsylvania fully represented; and there are at this time only five — New York, the two Carolinas, and the two before mentioned. All the States, Rhode Island excepted, have made their appointments; but the members drop in slowly; some of the deputies from the Eastern States are here, but none of them have yet a sufficient representation, and it will probably be several days before the Convention will be authorized to proceed to business. The expectations and hopes of all the Union centre in this Convention. God grant that we may be able to concert effectual means of preserving our country from the evils which threaten us.

The Virginia deputies (who are all here) meet and confer together two or three hours every day, in order to form a proper correspondence of sentiments; and for form's sake, to see what new deputies are arrived, and to grow into some acquaintance with each other, we regularly meet every day at three o'clock. These and some occasional conversations with the deputies of different States, and with some of the general officers of the late army (who are here upon a general meeting of the

Cincinnati), are the only opportunities I have hitherto had of forming any opinion upon the great subject of our mission, and, consequently, a very imperfect and indecisive one. Yet, upon the great principles of it, I have reason to hope there will be greater unanimity and less opposition, except from the little States, than was at first apprehended. The most prevalent idea in the principal States seems to be a total alteration of the present federal system, and substituting a great national council or parliament, consisting of two branches of the legislature, founded upon the principles of equal proportionate representation, with full legislative powers upon all the subjects of the Union; and an executive: and to make the several State legislatures subordinate to the national, by giving the latter the power of a negative upon all such laws as they shall judge contrary to the interest of the federal Union. It is easy to foresee that there will be much difficulty in organizing a government upon this great scale, and at the same time reserving to the State legislatures a sufficient portion of power for promoting and securing the prosperity and happiness of their respective citizens; yet with a proper degree of coolness, liberality and candor (very rare commodities by the bye), I doubt not but it may be effected. There are among a variety some very eccentric opinions upon this great subject; and what is a very extraordinary phenomenon, we are likely to find the republicans, on this occasion, issue from the Southern and Middle States, and the anti-republicans from the Eastern; however extraordinary this may at first seem, it may, I think be accounted for from a very common and natural impulse of the human mind. Men disappointed in expectations too hastily and sanguinely formed, tired and disgusted with the unexpected evils they have experienced, and anxious to remove them as far as possible, are very apt to run into the opposite extreme; and the people of the Eastern States, setting out with more republican principles, have consequently been more disappointed than we have been.

We found travelling very expensive — from eight to nine dollars per day. In this city the living is cheap. We are at the old *Indian Queen* in Fourth Street, where we are very well accommodated, have a good room to ourselves, and are charged only twenty-five Pennsylvania currency per day, including our servants and horses, exclusive of club in liquors and extra charges; so that I hope I shall be able to defray my expenses with my public allowance, and more than that I do not wish.

Kate Mason Rowland, *The Life of George Mason* (New York, etc., 1892), II. 100–102.

63. Characters in the Convention (1787)

BY DELEGATE WILLIAM PIERCE

Pierce was a delegate to the convention from Georgia, but he took no active part in the proceedings, and withdrew without signing the Constitution. According to his own statement, this last fact was due to unavoidable absence and not to disinclination. There are some errors in his list: "Jn°." Strong should be "Caleb" Strong; "W. Elsworth," "Oliver Ellsworth;" "W." Lansing, "John" Lansing; "Jn°." Martin, "Alexander" Martin. — Bibliography of the framers of the Constitution: P. L. Ford, *Bibliography and Reference List of the Constitution*, 52–57.

FROM New Hampshire.

Jn°. Langdon Esq^r and Nich^s Gilman Esquire. . . .

From Massachusetts.

Rufus King, Nat^l Gorham, Gerry and Jn° Strong Esquires.

M^r King is a Man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have good classical as well as legal knowledge. He has served for three years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his Country-men. . . . In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him *tout en semble*, he may with propriety be ranked among the Luminaries of the present Age.

M^r Gorham is a Merchant in Boston, high in reputation, and much in the esteem of his Country-men. He is a Man of very good sense, but not much improved in his education. He is eloquent and easy in public debate, but has nothing fashionable or elegant in his style; — all he aims at is to convince, and where he fails it never is from his auditory not understanding him, for no Man is more perspicuous and full. He has been President of Congress, and three years a Member of that Body. . . .

M^r Gerry's character is marked for integrity and perseverance. He is a hesitating and laborious speaker; — possesses a great degree of confidence and goes extensively into all subjects that he speaks on, without respect to elegance or flower of diction. He is connected and some-

times clear in his arguments, conceives well, and cherishes as his first virtue, a love for his Country. . . .

From Connecticut.

Sam[l] Johnson, Roger Sherman, and W. Elsworth Esquires.

D[r] Johnson is a character much celebrated for his legal knowledge; he is said to be one of the first classics in America, and certainly possesses a very strong and enlightened understanding. . . .

M[r] Sherman exhibits the oddest shaped character I ever remember to have met with. He is awkward, un-meaning, and unaccountably strange in his manner. But in his train of thinking there is something regular, deep, and comprehensive . . . no Man has a better Heart or a clearer Head. If he cannot embellish he can furnish thoughts that are wise and useful. He is an able politician, and extremely artful in accomplishing any particular object; — it is remarked that he seldom fails. I am told he sits on the Bench in Connecticut, and is very correct in the discharge of his Judicial functions. In the early part of his life he was a Shoe-maker; — but despising the lowness of his condition, he turned Almanack maker, and so progressed upwards to a Judge. He has been several years a Member of Congress, and discharged the duties of his Office with honor and credit to himself, and advantage to the State he represented. . . .

M[r] Elsworth is a Judge of the Supreme Court in Connecticut; — he is a Gentleman of a clear, deep, and copious understanding; eloquent, and connected in public debate; and always attentive to his duty. He is very happy in a reply, and choice in selecting such parts of his adversary's arguments as he finds make the strongest impressions, — in order to take off the force of them, so as to admit the power of his own. . . .

From New York.

Alexander Hamilton, Yates, and W. Lansing Esquires.

Col[o] Hamilton is deservedly celebrated for his talents. He is a practitioner of the Law, and reputed to be a finished Scholar. To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the Heart and Head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory; — it is my opinion that he is rather a convincing Speaker, that [than] a blazing Orator. Col[o] Hamilton requires time to think, — he enquires into every part of his subject

with the searchings of phylosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. — His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreable.

Mr Yates is said to be an able Judge. He is a Man of great legal abilities, but not distinguished as an Orator. Some of his Enemies say he is an anti-federal Man, but I discovered no such disposition in him. . . .

Mr Lansing is a practicing Attorney at Albany, and Mayor of that Corporation. . . . his legal knowledge I am told is not extensive, nor his education a good one. He is however a Man of good sense, plain in his manners, and sincere in his friendships. . . .

From New Jersey.

Wm Livingston, David Brearly, Wm Patterson, and Jonn Dayton, Esquires. . . .

Mr Patterson is one of those kind of Men whose powers break in upon you, and create wonder and astonishment. He is a Man of great modesty, with looks that bespeak talents of no great extent, — but he is a Classic, a Lawyer, and an Orator; — and of a disposition so favorable to his advancement that every one seemed ready to exalt him with their praises. He is very happy in the choice of time and manner of engaging in a debate, and never speaks but when he understands his subject well. . . .

From Pennsylvania.

Benja Franklin, Thos Mifflin, Robt Morris, Geo. Clymer, Thomas Fitzsimons, Jared Ingersol, James Wilson, Governeur Morris.

Dr Franklin is well known to be the greatest phylosopher of the present age . . . But what claim he has to the politician, posterity must determine. It is certain that he does not shine much in public Council, — he is no Speaker, nor does he seem to let politics engage his attention. . . . He is 82 years old, and possesses an activity of mind equal to a youth of 25 years of age. . . .

Robert Morris is a merchant of great eminence and wealth; an able Financier, and a worthy Patriot. He has an understanding equal to any public object, and possesses an energy of mind that few Men can boast of. Although he is not learned, yet he is as great as those who are. I am told that when he speaks in the Assembly of Pennsylvania, that he bears down all before him. What could have been his reason for not Speaking in the Convention I know not, — but he never once spoke on any point. . . .

Mr Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show him to advantage. He is well acquainted with Man, and understands all the passions that influence him. Government seems to have been his peculiar Study, all the political institutions of the World he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Greecian commonwealth down to the present time. No man is more clear, copious, and comprehensive than Mr Wilson, yet he is no great Orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning. . . .

Mr Governeur Morris is one of those Genius's in whom every species of talents combine to render him conspicuous and flourishing in public debate: — He winds through all the mazes of rhetoric, and throws around him such a glare that he charms, captivates, and leads away the senses of all who hear him. With an infinite streach of fancy he brings to view things when he is engaged in deep argumentation, that render all the labor of reasoning easy and pleasing. But with all these powers he is fickle and inconstant, — never pursuing one train of thinking, — nor ever regular. He has gone through a very extensive course of reading, and is acquainted with all the sciences. . . . He was bred to the Law, but I am told he disliked the profession, and turned Merchant. . . .

From Delaware,

Jnº Dickinson, Gunning Bedford, Geo: Read, Richd Bassett, and Jacob Broom Esquires.

Mr Dickinson has been famed through all America, for his Farmers Letters; he is a Scholar, and said to be a Man of very extensive information. When I saw him in the Convention I was induced to pay the greatest attention to him whenever he spoke. I had often heard that he was a great Orator, but I found him an indifferent Speaker. With an affected air of wisdom he labors to produce a trifle, — his language is

irregular and incorrect, — his flourishes, (for he sometimes attempts them), are like expiring flames, they just shew themselves and go out; — no traces of them are left on the mind to chear or animate it. He is, however, a good writer and will be ever considered one of the most important characters in the United States. . . .

Mr Read is a Lawyer and a Judge; — his legal abilities are said to be very great, but his powers of Oratory are fatiguing and tiresome to the last degree . . .

From Maryland.

Luther Martin, Jas McHenry, Daniel of St Thomas Jenifer, and Daniel Carrol Esquires.

Mr Martin was educated for the Bar, and is Attorney general for the State of Maryland. This Gentleman possesses a good deal of information, but he has a very bad delivery, and so extremely prolix, that he never speaks without tiring the patience of all who hear him. . . .

From Virginia.

Genl Geo: Washington, Geo: Wythe, Geo: Mason, Jas Maddison junr Jno Blair, Edmd Randolph, and James McLurg.

Genl Washington is well known as the Commander in chief of the late American Army. Having conducted these States to independence and peace, he now appears to assist in framing a Government to make the People happy. Like Gustavus Vasa, he may be said to be the deliverer of his Country; — like Peter the great he appears as the politician and the States-man; and like Cincinnatus he returned to his farm perfectly contented with being only a plain Citizen, after enjoying the highest honor of the confederacy, — and now only seeks for the approbation of his Country-men by being virtuous and useful. The General was conducted to the Chair as President of the Convention by the unanimous voice of its Members. . . .

Mr Wythe is the famous Professor of Law at the University of William and Mary. He is confessedly one of the most learned legal Characters of the present age. From his close attention to the study of general learning he has acquired a compleat knowledge of the dead languages and all the sciences. He is remarked for his examplary life, and universally esteemed for his good principles. No Man it is said understands the history of Government better than Mr Wythe, — nor any one who understands the fluctuating condition to which all societies are

liable better than he does, yet from his too favorable opinion of Men, he is no great politician. He is a neat and pleasing Speaker, and a most correct and able Writer. . . .

Mr Mason is a Gentleman of remarkable strong powers, and possesses a clear and copious understanding. He is able and convincing in debate, steady and firm in his principles, and undoubtedly one of the best politicians in America. . . .

Mr Maddison is a character who has long been in public life; and what is very remarkable every Person seems to acknowledge his greatness. He blends together the profound politician, with the Scholar. In the management of every great question he evidently took the lead in the Convention, and tho' he cannot be called an Orator, he is a most agreable, eloquent, and convincing Speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed Man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any Man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that Council. Mr Maddison is about 37 years of age, a Gentleman of great modesty, — with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreable style of conversation. . . .

Mr Randolph is Governor of Virginia, — a young Gentleman in whom unite all the accomplishments of the Scholar, and the States-man. He came forward with the postulata, or first principles, on which the Convention acted, and he supported them with a force of eloquence and reasoning that did him great honor. . . .

North Carolina.

Wm Blount, Richd Dobbs Spaight, Hugh Williamson, Wm Davey, and Jno Martin Esquires. . . .

South Carolina.

Jno Rutledge, Chs Cotesworth Pinckney, Charles Pinckney, and Pierce Butler Esquires.

Mr Rutledge is one of those characters who was highly mounted at the commencement of the late revolution; — his reputation in the first Congress gave him a distinguished rank among the American Worthies He was bred to the Law, and now acts as one of the Chancellors of South Carolina. . . . He is undoubtedly a man of abilities, and a Gen-

tleman of distinction and fortune. Mr Rutledge was once Governor of South Carolina. . . .

Mr Chs Cotesworth Pinckney is a Gentleman of Family and fortune in his own State. He has received the advantage of a liberal education, and possesses a very extensive degree of legal knowledge. . . .

Mr Charles Pinckney is a young Gentleman of the most promising talents. He is, altho' only 24 ys of age, in possession of a very great variety of knowledge. Government, Law, History and Phylosophy are his favorite studies, but he is intimately acquainted with every species of polite learning, and has a spirit of application and industry beyond most Men. He speaks with great neatness and perspicuity, and treats every subject as fully, without running into prolixity, as it requires. He has been a Member of Congress, and served in that Body with ability and eclat. . . .

For Georgia.

Wm Few, Abraham Baldwin, Wm Pierce, and Wm Houstoun Esqrs

Notes of Major William Pierce on the Federal Convention of 1787, in *American Historical Review* (New York, etc., 1898), III, 325–333 *passim*.

64. How to Elect Senators (1787)

REPORTED BY DELEGATE ROBERT YATES

Yates was an eminent lawyer and judge in New York. He was appointed a delegate to the convention, early displayed great objections to the plan proposed, and with his colleague, Lansing, left the convention when the success of the Federal measures seemed probable. His minutes of the period during which he was in attendance are second in value to Madison's. — For Yates and Lansing, see Nos. 63 above and 73 below. — Bibliography as in No. 60 above.

[June 6.] . . . MR. PINCKNEY moved, (pursuant to a standing order for reconsideration,) that, in the 4th resolve, the words "by the people" be expunged, and the words "by the legislatures" be inserted.

Mr. GERRY. If the national legislature are appointed by the state legislatures, demagogues and corrupt members will creep in.

Mr. WILSON is of opinion that the national legislative powers ought to flow immediately from the people, so as to contain all their understanding, and to be an exact transcript of their minds. He observed, that the people had already parted with as much of their power as was

necessary to form on its basis a perfect government; and the particular states must part with such a portion of it as to make the present national government adequate to their peace, and the security of their liberties. He admitted that the state governments would probably be rivals and opposers of the national government.

Mr. MASON observed, that the national legislature, as to one branch, ought to be elected by the people; because the objects of their legislation will not be on states, but on individual persons.

Mr. DICKINSON is for combining the state and national legislatures in the same views and measures; and that this object can only be effected by the national legislature flowing from the state legislatures.

Mr. READ is of opinion that the state governments must, sooner or later, be at an end, and that therefore we must make the present national government as perfect as possible.

Mr. MADISON is of opinion that, when we agreed to the 1st resolve, of having a national government, consisting of a supreme executive, judicial, and legislative power, it was then intended to operate to the exclusion of a federal government; and the more extensive we made the basis, the greater probability of duration, happiness, and good order.

The question for the amendment was negatived by 8 states against 3. New York in the majority. . . .

[June 7.] . . . Mr. RUTLEDGE moved to take into consideration the mode of electing the second branch of the national legislature.

Mr. DICKINSON thereupon moved, "That the second branch of the national legislature be chosen by the legislatures of the individual states." He observed, that this mode will more intimately connect the state governments with the national legislature — it will also draw forth the first characters either as to family or talent, and that it ought to consist of a considerable number.

Mr. WILSON against the motion, because the two branches, thus constituted, cannot agree, they having different views and different sentiments.

Mr. DICKINSON is of opinion that the mode by him proposed, like the British Houses of Lords and Commons, whose powers flow from different sources, are mutual checks on each other, and will thus promote the real happiness and security of the country. A government thus established would harmonize the whole, and, like the planetary system, the national council, like the sun, would illuminate the whole; the planets revolving round it in perfect order; or, like the union of several

small streams, would at last form a respectable river, gently flowing to the sea.

Mr. WILSON. The state governments ought to be preserved. The freedom of the people, and their internal good police, depend on their existence in full vigor: but such a government can only answer local purposes — that it is not possible a general government, as despotic as even that of Roman emperors, could be adequate to the government of the whole without this distinction. He hoped that the national government would be independent of state governments, in order to make it vigorous, and therefore moved that the resolution might be postponed, and that the Convention, in its room, adopt the following resolve: "That the second branch of the national legislature be chosen by districts, to be formed for that purpose."

Mr. SHERMAN supposes the election of the national legislature will be better vested in the state legislatures than in the people; for, by pursuing different objects, persons may be returned who have not one tenth of the votes.

Mr. GERRY observed, that the great mercantile interest, and of stockholders, is not provided for in any mode of election — they will, however, be better represented if the state legislatures choose the second branch.

Question carried against the postponement — 10 states against 1.

Mr. MASON then spoke to the general question — observing on the propriety, that the second branch of the national legislature should flow from the legislature of each state, to prevent the encroachments on each other, and to harmonize the whole.

The question put on the first motion, and carried unanimously. . . .

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), I, 397–399 *passim*.

65. Debates on Slavery and the Slave Trade (1787)

REPORTED BY DELEGATE JAMES MADISON

Madison was the leader of the convention. His sobriety, even balance of mind, and ability to harmonize discordant interests gave him preëminence there over men of riper experience and greater intellectual force. To his methodical habits are due these notes on the debates in the convention, the only adequate record of the deliberations of that body. The debate here reported was on one of the three great compromises that made the Constitution possible. — For Madison, see Nos. 40, 63 above. — Bibliography as in No. 60 above.

[August 8.] ARTICLE 4, sect. 4, was then taken up.

Mr. WILLIAMSON moved to strike out, "according to the provisions hereinafter made," and to insert the words "according to the rule hereafter to be provided for direct taxation." . . .

On the question for agreeing to Mr. Williamson's amendment, —

New Hampshire, Massachusetts, Connecticut, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, ay, 9; New Jersey, Delaware, no, 2.

Mr. KING wished to know what influence the vote just passed was meant to have on the succeeding part of the report, concerning the admission of slaves into the rule of representation. He could not reconcile his mind to the article, if it was to prevent objections to the latter part. The admission of slaves was a most grating circumstance to his mind, and he believed would be so to a great part of the people of America. He had not made a strenuous opposition to it heretofore, because he had hoped that this concession would have produced a readiness, which had not been manifested, to strengthen the general government, and to mark a full confidence in it. The report under consideration had, by the tenor of it, put an end to all those hopes. In two great points, the hands of the legislature were absolutely tied. The importation of slaves could not be prohibited. Exports could not be taxed. Is this reasonable? What are the great objects of the general system? First, defence against foreign invasion; secondly, against internal sedition. Shall all the states, then, be bound to defend each, and shall each be at liberty to introduce a weakness which will render defence more difficult? Shall one part of the United States be bound to defend another part, and that other part be at liberty, not only to increase its own danger, but to withhold the compensation for the burden? If slaves are to be imported, shall not the exports produced by their labor supply a revenue the better

to enable the general government to defend their masters? There was so much inequality and unreasonableness in all this, that the people of the Northern States could never be reconciled to it. No candid man could undertake to justify it to them. He had hoped that some accommodation would have taken place on this subject; that, at least, a time would have been limited for the importation of slaves. He never could agree to let them be imported without limitation, and then be represented in the national legislature. Indeed, he could so little persuade himself of the rectitude of such a practice, that he was not sure he could assent to it under any circumstances. At all events, either slaves should not be represented, or exports should be taxable. . . .

Mr. GOUVERNEUR MORRIS moved to insert "free" before the word "inhabitants." Much, he said, would depend on this point. He never would concur in upholding domestic slavery. It was a nefarious institution. It was the curse of heaven on the states where it prevailed. . . . Upon what principle is it that the slaves shall be computed in the representation? Are they men? Then make them citizens, and let them vote. Are they property? Why, then, is no other property included? The houses in this city (Philadelphia) are worth more than all the wretched slaves who cover the rice swamps of South Carolina. The admission of slaves into the representation, when fairly explained, comes to this, — that the inhabitant of Georgia and South Carolina, who goes to the coast of Africa, and, in defiance of the most sacred laws of humanity, tears away his fellow-creatures from their dearest connections, and damns them to the most cruel bondage, shall have more votes, in a government instituted for the protection of the rights of mankind, than the citizen of Pennsylvania or New Jersey, who views, with a laudable horror, so nefarious a practice. He would add, that domestic slavery is the most prominent feature in the aristocratic countenance of the proposed Constitution. The vassalage of the poor has ever been the favorite offspring of aristocracy. And what is the proposed compensation to the Northern States, for a sacrifice of every principle of right, of every impulse of humanity? They are to bind themselves to march their militia for the defence of the Southern States, for their defence against those very slaves of whom they complain. They must supply vessels and seamen, in case of foreign attack. The legislature will have indefinite power to tax them by excises, and duties on imports, both of which will fall heavier on them than on the southern inhabitants; for the bohea tea used by a northern freeman will pay more tax

than the whole consumption of the miserable slave, which consists of nothing more than his physical subsistence and the rag that cóvers his nakedness. On the other side, the Southern States are not to be restrained from importing fresh supplies of wretched Africans, at once to increase the danger of attack and the difficulty of defence; nay, they are to be encouraged to it, by an assurance of having their votes in the national government increased in proportion; and are, at the same time, to have their exports and their slaves exempt from all contributions for the public service. Let it not be said that direct taxation is to be proportioned to representation. It is idle to suppose that the general government can stretch its hand directly into the pockets of the people, scattered over so vast a country. They can only do it through the medium of exports, imports, and excises. For what, then, are all the sacrifices to be made? He would sooner submit himself to a tax for paying for all the negroes in the United States, than saddle posterity with such a Constitution. . . .

On the question, on the motion to insert "free" before "inhabitants,"—

New Jersey, ay, 1; New Hampshire, Massachusetts, Connecticut, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, no, 10. . . .

Article 4, sect. 4, as amended, was agreed to, *nem. con.* . . .

[August 21.] Mr. L. MARTIN proposed to vary article 7, sect. 4, so as to allow a prohibition or tax on the importation of slaves. In the first place, as five slaves are to be counted as three freemen, in the apportionment of representatives, such a clause would leave an encouragement to this traffic. In the second place, slaves weakened one part of the Union, which the other parts were bound to protect; the privilege of importing them was therefore unreasonable. And, in the third place, it was inconsistent with the principles of the revolution, and dishonorable to the American character, to have such a feature in the Constitution.

Mr. RUTLEDGE did not see how the importation of slaves could be encouraged by this section. He was not apprehensive of insurrections, and would readily exempt the other states from the obligation to protect the Southern against them. Religion and humanity had nothing to do with this question. Interest alone is the governing principle with nations. The true question at present is, whether the Southern States shall or shall not be parties to the Union. If the Northern States con-

sult their interest, they will not oppose the increase of slaves, which will increase the commodities of which they will become the carriers.

Mr. ELLSWORTH was for leaving the clause as it stands. Let every state import what it pleases. The morality or wisdom of slavery are considerations belonging to the states themselves. What enriches a part enriches the whole, and the states are the best judges of their particular interest. The old Confederation had not meddled with this point; and he did not see any greater necessity for bringing it within the policy of the new one.

Mr. PINCKNEY. South Carolina can never receive the plan if it prohibits the slave trade. In every proposed extension of the powers of Congress, that state has expressly and watchfully excepted that of meddling with the importation of negroes. If the states be all left at liberty on this subject, South Carolina may perhaps, by degrees, do of herself what is wished, as Virginia and Maryland already have done. . . .

[August 22.] . . . Article 7, sect. 4, was resumed.

Mr. SHERMAN was for leaving the clause as it stands. He disapproved of the slave trade; yet, as the states were now possessed of the right to import slaves, as the public good did not require it to be taken from them, and as it was expedient to have as few objections as possible to the proposed scheme of government, he thought it best to leave the matter as we find it. He observed, that the abolition of slavery seemed to be going on in the United States, and that the good sense of the several states would probably by degrees complete it. He urged on the Convention the necessity of despatching its business.

Col. MASON. This infernal traffic originated in the avarice of British merchants. The British government constantly checked the attempts of Virginia to put a stop to it. The present question concerns not the importing states alone, but the whole Union. The evil of having slaves was experienced during the late war. Had slaves been treated as they might have been by the enemy, they would have proved dangerous instruments in their hands. But their folly dealt by the slaves as it did by the tories. . . . Maryland and Virginia, he said, had already probibited the importation of slaves expressly. North Carolina had done the same in substance. All this would be in vain, if South Carolina and Georgia be at liberty to import. The western people are already calling out for slaves for their new lands, and will fill that country with slaves, if they can be got through South Carolina and Georgia. Slavery discourages arts and manufactures. The poor despise labor when performed by

slaves. They prevent the emigration of whites, who really enrich and strengthen a country. They produce the most pernicious effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of Heaven on a country. As nations cannot be rewarded or punished in the next world, they must be in this. By an inevitable chain of causes and effects, Providence punishes national sins by national calamities. He lamented that some of our eastern brethren had, from a lust of gain, embarked in this nefarious traffic. As to the states being in possession of the right to import, this was the case with many other rights, now to be properly given up. He held it essential, in every point of view, that the general government should have power to prevent the increase of slavery.

Mr. ELLSWORTH, as he had never owned a slave, could not judge of the effects of slavery on character. He said, however, that if it was to be considered in a moral light, we ought to go further, and free those already in the country. As slaves also multiply so fast in Virginia and Maryland, that it is cheaper to raise than import them, whilst in the sickly rice swamps foreign supplies are necessary, if we go no further than is urged, we shall be unjust towards South Carolina and Georgia. Let us not intermeddle. As population increases, poor laborers will be so plenty as to render slaves useless. Slavery, in time, will not be a speck in our country. Provision is already made in Connecticut for abolishing it. And the abolition has already taken place in Massachusetts. As to the danger of insurrections from foreign influence, that will become a motive to kind treatment of the slaves. . . .

Gen. PINCKNEY declared it to be his firm opinion that if himself and all his colleagues were to sign the Constitution, and use their personal influence, it would be of no avail towards obtaining the assent of their constituents. South Carolina and Georgia cannot do without slaves. As to Virginia, she will gain by stopping the importations. Her slaves will rise in value, and she has more than she wants. It would be unequal to require South Carolina and Georgia to confederate on such unequal terms. He said, the royal assent, before the revolution, had never been refused to South Carolina, as to Virginia. He contended, that the importation of slaves would be for the interest of the whole Union. The more slaves, the more produce to employ the carrying trade; the more consumption also; and the more of this, the more revenue for the common treasury. He admitted it to be reasonable that slaves should be dutied like other imports; but should consider a

rejection of the clause as an exclusion of South Carolina from the Union.

Mr. BALDWIN had conceived national objects alone to be before the Convention; not such as, like the present, were of a local nature. Georgia was decided on this point. That state has always hitherto supposed a general government to be the pursuit of the central states, who wished to have a vortex for every thing; that her distance would preclude her from equal advantage; and that she could not prudently purchase it by yielding national powers. From this it might be understood in what light she would view an attempt to abridge one of her favorite prerogatives. If left to herself, she may probably put a stop to the evil. As one ground for this conjecture, he took notice of the sect of ———, which, he said, was a respectable class of people, who carried their ethics beyond the mere *equality of men*, extending their humanity to the claims of the whole animal creation.

Mr. WILSON observed that, if South Carolina and Georgia were themselves disposed to get rid of the importation of slaves in a short time, as had been suggested, they would never refuse to unite because the importation might be prohibited. As the section now stands, all articles imported are to be taxed. Slaves alone are exempt. This is, in fact, a bounty on that article.

Mr. GERRY thought we had nothing to do with the conduct of the states as to slaves, but ought to be careful not to give any sanction to it.

Mr. DICKINSON considered it as inadmissible, on every principle of honor and safety, that the importation of slaves should be authorized to the states by the Constitution. The true question was, whether the national happiness would be promoted or impeded by the importation; and this question ought to be left to the national government, not to the states particularly interested. . . . He could not believe that the Southern States would refuse to confederate on the account apprehended; especially as the power was not likely to be immediately exercised by the general government. . . .

Mr. KING thought the subject should be considered in a political light only. If two states will not agree to the Constitution, as stated on one side, he could affirm with equal belief, on the other, that great and equal opposition would be experienced from the other states. He remarked on the exemption of slaves from duty, whilst every other import was subjected to it, as an inequality that could not fail to strike the commercial sagacity of the Northern and Middle States.

Mr. LANGDON was strenuous for giving the power to the general government. He could not, with a good conscience, leave it with the states, who could then go on with the traffic, without being restrained by the opinions here given, that they will themselves cease to import slaves.

Gen. PINCKNEY thought himself bound to declare candidly, that he did not think South Carolina would stop her importations of slaves in any short time; but only stop them occasionally, as she now does. He moved to commit the clause, that slaves might be made liable to an equal tax with other imports; which he thought right, and which would remove one difficulty that had been started.

Mr. RUTLEDGE. If the Convention thinks that North Carolina, South Carolina, and Georgia, will ever agree to the plan, unless their right to import slaves be untouched, the expectation is vain. The people of those states will never be such fools as to give up so important an interest. He was strenuous against striking out the section, and seconded the motion of Gen. Pinckney for a commitment.

Mr. GOUVERNEUR MORRIS wished the whole subject to be committed, including the clauses relating to taxes on exports and to a navigation act. These things may form a bargain among the Northern and Southern States.

Mr. BUTLER declared, that he never would agree to the power of taxing exports.

Mr. SHERMAN said it was better to let the Southern States import slaves than to part with them, if they made that a *sine qua non*. He was opposed to a tax on slaves imported, as making the matter worse, because it implied they were *property*. He acknowledged that, if the power of prohibiting the importation should be given to the general government, it would be exercised. He thought it would be its duty to exercise the power. . . .

Mr. RANDOLPH was for committing, in order that some middle ground might, if possible, be found. He could never agree to the clause as it stands. He would sooner risk the Constitution. He dwelt on the dilemma to which the Convention was exposed. By agreeing to the clause, it would revolt the Quakers, the Methodists, and many others in the states having no slaves. On the other hand, two states might be lost to the Union. Let us then, he said, try the chance of a commitment.

On the question for committing the remaining part of sections 4 and 5 of article 7, —

Connecticut, New Jersey, Maryland, Virginia, North Carolina, South Carolina, Georgia, ay, 7; New Hampshire, Pennsylvania, Delaware, no, 3; Massachusetts, absent.

Mr. PINCKNEY and Mr. LANGDON moved to commit section 6, as to a navigation act by two thirds of each House. . . .

New Hampshire, Massachusetts, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, ay, 9; Connecticut, New Jersey, no, 2. . . .

To this committee were referred also the two clauses, above mentioned, of the 4th and 5th sections of article 7.

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), V, 391–461 *passim*.

66. The Closing Scene (1787)

REPORTED BY DELEGATE JAMES MADISON

For Madison, see Nos. 40, 65 above. — Bibliography as in No. 60 above.

[September 15.] MR. PINCKNEY . . . descanted on the consequences of calling forth the deliberations and amendments of the different states, on the subject of government at large. Nothing but confusion and contrariety will spring from the experiment. The states will never agree in their plans, and the deputies to a second Convention, coming together under the discordant impressions of their constituents, will never agree. Conventions are serious things, and ought not to be repeated [.] He was not without objections, as well as others, to the plan. He objected to the contemptible weakness and dependence of the executive. He objected to the power of a majority, only, of Congress, over commerce. But, apprehending the danger of a general confusion, and an ultimate decision by the sword, he should give the plan his support.

Mr. GERRY stated the objections which determined him to withhold his name from the Constitution: 1, the duration and reëligibility of the Senate; 2, the power of the House of Representatives to conceal their Journals; 3, the power of Congress over the places of election; 4, the unlimited power of Congress over their own compensation; 5, that Massachusetts has not a due share of representatives allotted to her; 6, that three fifths of the blacks are to be represented, as if they were

freemen; 7, that under the power over commerce, monopolies may be established; 8, the Vice-President being made head of the Senate. He could, however, he said, get over all these, if the rights of the citizens were not rendered insecure — first, by the general power of the legislature to make what laws they may please to call "necessary and proper;" secondly, to raise armies and money without limit; thirdly, to establish a tribunal without juries, which will be a Star Chamber as to civil cases. Under such a view of the Constitution, the best that could be done, he conceived, was to provide for a second General Convention. . . .

On the question to agree to the Constitution, as amended, all the states, ay.

The Constitution was then ordered to be engrossed, and the House adjourned. . . .

[September 17.] . . . The engrossed Constitution being read, — Dr. FRANKLIN rose with a speech in his hand, which he had reduced to writing for his own convenience, and which Mr. Wilson read in the words following: —

"Mr. President: — I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For, having lived long, I have experienced many instances of being obliged, by better information or fuller consideration, to change opinions, even on important subjects, which I once thought right, but found to be otherwise. It is therefore that, the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others. Most men, indeed, as well as most sects in religion, think themselves in possession of all truth, and that wherever others differ from them, it is so far error. Steele, a Protestant, in a dedication, tells the Pope, that the only difference between our churches, in their opinions of the certainty of their doctrines, is, 'the Church of Rome is infallible, and the Church of England is never in the wrong.' But though many private persons think almost as highly of their own infallibility as of that of their sect, few express it so naturally as a certain French lady, who, in a dispute with her sister, said, 'I don't know how it happens, sister, but I meet with nobody but myself that is always in the right — *il n'y a que moi qui a toujours raison.*'

"In these sentiments, sir, I agree to this Constitution, with all its faults, if they are such; because I think a general government necessary for us, and there is no form of government, but what may be a blessing to the people if well administered; and believe further, that this is

likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic government, being incapable of any other. I doubt, too, whether any other Convention we can obtain may be able to make a better Constitution. For, when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me, sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded, like those of the builders of Babel; and that our states are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, sir, to this Constitution, because I expect no better, and because I am not sure, that it is not the best. The opinions I have had of its errors I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die. If every one of us, in returning to our constituents, were to report the objections he has had to it, and endeavor to gain partisans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favor among foreign nations, as well as among ourselves, from our real or apparent unanimity. Much of the strength and efficiency of any government, in procuring and securing happiness to the people, depends on opinion — on the general opinion of the goodness of the government, as well as of the wisdom and integrity of its governors. I hope, therefore, that for our own sakes, as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress and confirmed by the conventions) wherever our influence may extend, and turn our future thoughts and endeavors to the means of having it well administered.

"On the whole, sir, I cannot help expressing a wish that every member of the Convention, who may still have objections to it, would with me, on this occasion, doubt a little of his own infallibility, and, to make manifest our unanimity, put his name to this instrument." He then moved that the Constitution be signed by the members, and offered the following as a convenient form, viz.: —

"Done in Convention by the unanimous consent of *the states* present, the 17th of September, &c. In witness whereof, we have hereunto subscribed our names."

This ambiguous form had been drawn up by Mr. Gouverneur Morris, in order to gain the dissenting members, and put into the hands of Dr. Franklin, that it might have the better chance of success.

Mr. GORHAM said, if it was not too late, he could wish, for the purpose of lessening objections to the Constitution, that the clause, declaring that "the number of representatives shall not exceed one for every forty thousand," which had produced so much discussion, might be yet reconsidered, in order to strike out "forty thousand," and insert "thirty thousand." This would not, he remarked, establish that as an absolute rule, but only give Congress a greater latitude, which could not be thought unreasonable.

Mr. KING and Mr. CARROLL seconded and supported the ideas of Mr. Gorham.

When the president rose, for the purpose of putting the question, he said, that, although his situation had hitherto restrained him from offering his sentiments on questions depending in the House, and, it might be thought, ought now to impose silence on him, yet he could not forbear expressing his wish that the alteration proposed might take place. It was much to be desired that the objections to the plan recommended might be made as few as possible. The smallness of the proportion of representatives had been considered, by many members of the Convention, an insufficient security for the rights and, interests of the people. He acknowledged that it had always appeared to himself among the exceptionable parts of the plan; and, late as the present moment was for admitting amendments, he thought this of so much consequence, that it would give him much satisfaction to see it adopted.

No opposition was made to the proposition of Mr. Gorham, and it was agreed to unanimously.

On the question to agree to the Constitution, enrolled, in order to be signed, it was agreed to, all the *states* answering, ay.

Mr. RANDOLPH then rose, and, with an allusion to the observations of Dr. Franklin, apologized for his refusing to sign the Constitution, notwithstanding the vast majority and venerable names that would give sanction to its wisdom and its worth. He said, however, that he did not mean by this refusal to decide that he should oppose the Constitution without doors. He meant only to keep himself free to be governed by his duty, as it should be prescribed by his future judgment. He

refused to sign, because he thought the object of the Convention would be frustrated by the alternative which it presented to the people. Nine states will fail to ratify the plan, and confusion must ensue. With such a view of the subject he ought not, he could not, by pledging himself to support the plan, restrain himself from taking such steps as might appear to him most consistent with the public good.

Mr. GOUVERNEUR MORRIS said, that he too had objections, but, considering the present plan as the best that was to be attained, he should take it with all its faults. The majority had determined in its favor, and by that determination he should abide. The moment this plan goes forth, all other considerations will be laid aside, and the great question will be, shall there be a national government, or not? and this must take place, or a general anarchy will be the alternative. He remarked that the signing, in the form proposed, related only to the fact that *the states* present were unanimous.

Mr. WILLIAMSON suggested that the signing should be confined to the letter accompanying the Constitution to Congress, which might perhaps do nearly as well, and would be found satisfactory to some members who disliked the Constitution. For himself, he did not think a better plan was to be expected, and had no scruples against putting his name to it.

Mr. HAMILTON expressed his anxiety that every member should sign. A few characters of consequence, by opposing, or even refusing to sign the Constitution, might do infinite mischief, by kindling the latent sparks that lurk under an enthusiasm in favor of the Convention which may soon subside. No man's ideas were more remote from the plan than his own were known to be; but is it possible to deliberate between anarchy, and convulsion; on one side, and the chance of good to be expected from the plan, on the other?

Mr. BLOUNT said, he had declared that he would not sign so as to pledge himself in support of the plan, but he was relieved by the form proposed, and would, without committing himself, attest the fact that the plan was the unanimous act of the states in Convention.

Dr. FRANKLIN expressed his fears, from what Mr. Randolph had said, that he thought himself alluded to in the remarks offered this morning to the House. He declared that, when drawing up that paper, he did not know that any particular member would refuse to sign his name to the instrument, and hoped to be so understood. He possessed a high sense of obligation to Mr. Randolph for having brought forward

the plan in the first instance, and for the assistance he had given in its progress; and hoped that he would yet lay aside his objections, and, by concurring with his brethren, prevent the great mischief which the refusal of his name might produce.

Mr. RANDOLPH could not but regard the signing in the proposed form, as the same with signing the Constitution. The change of form, therefore, could make no difference with him. He repeated that, in refusing to sign the Constitution, he took a step which might be the most awful of his life; but it was dictated by his conscience, and it was not possible for him to hesitate, — much less, to change. He repeated also his persuasion, that the holding out this plan, with a final alternative to the people of accepting or rejecting it *in toto*, would really produce the anarchy and civil convulsions which were apprehended from the refusal of individuals to sign it.

Mr. GERRY described the painful feelings of his situation, and the embarrassments under which he rose to offer any further observations on the subject which had been finally decided. Whilst the plan was depending, he had treated it with all the freedom he thought it deserved. He now felt himself bound, as he was disposed, to treat it with the respect due to the act of the Convention. He hoped he should not violate that respect in declaring, on this occasion, his fears that a civil war may result from the present crisis of the United States. In Massachusetts, particularly, he saw the danger of this calamitous event. In that state there are two parties, one devoted to democracy — the worst, he thought, of all political evils; the other as violent in the opposite extreme. From the collision of these, in opposing and resisting the Constitution, confusion was greatly to be feared. He had thought it necessary, for this and other reasons, that the plan should have been proposed in a more mediating shape, in order to abate the heat and opposition of parties. As it had been passed by the Convention, he was persuaded it would have a contrary effect. He could not, therefore, by signing the Constitution, pledge himself to abide by it at all events. The proposed form made no difference with him. But if it were not otherwise apparent, the refusals to sign should never be known from him. Alluding to the remarks of Dr. Franklin, he could not, he said, but view them as levelled at himself and the other gentlemen who meant not to sign.

Gen. PINCKNEY. We are not likely to gain many converts by the ambiguity of the proposed form of signing. He thought it best to be

candid, and let the form speak the substance. If the meaning of the signers be left in doubt, his purpose would not be answered. He should sign the Constitution with a view to support it with all his influence, and wished to pledge himself accordingly.

Dr. FRANKLIN. It is too soon to pledge ourselves, before Congress and our constituents shall have approved the plan.

Mr. INGERSOLL did not consider the signing, either as a mere attestation of the fact or as pledging the signers to support the Constitution at all events; but as a recommendation of what, all things considered, was the most eligible.

On the motion of Dr. Franklin, —

New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, Georgia, ay, 10; South Carolina, divided.

Mr. KING suggested that the Journals of the Convention should be either destroyed, or deposited in the custody of the president. He thought, if suffered to be made public, a bad use would be made of them by those who would wish to prevent the adoption of the Constitution.

Mr. WILSON preferred the second expedient. He had at one time liked the first best; but as false suggestions may be propagated, it should not be made impossible to contradict them.

A question was then put on depositing the Journals, and other papers of the Convention, in the hands of the president; on which, —

New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina, Georgia, ay, 10; Maryland, no, 1.

The president, having asked what the Convention meant should be done with the Journals, &c., whether copies were to be allowed to the members, if applied for; it was resolved, *nem. con.*, "that he retain the Journal and other papers, subject to the order of Congress, if ever formed under the Constitution."

The members then proceeded to sign the Constitution, as finally amended . . .

The Constitution being signed by all the members, except Mr. Randolph, Mr. Mason, and Mr. Gerry, who declined giving it the sanction of their names, the Convention dissolved itself by an adjournment *sine die*.

Whilst the last members were signing, Dr. FRANKLIN, looking towards the president's chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish, in their art, a rising from a setting

sun. "I have," said he, "often and often, in the course of the session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the president, without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising, and not a setting sun."

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), V, 553–565 *passim*.

67. A Dissentient's Narrative (1787)

BY DELEGATE LUTHER MARTIN (1788)

Martin, a delegate from Maryland, left the convention because he foresaw the adoption of a national government. Later he became a stanch Federalist. He was a noted lawyer (see No. 63 above) and a man of eccentric character. This report of the proceedings of the convention, delivered before the legislature of Maryland, is the most valuable of the Anti-Federal documents. — Bibliography as in No. 60 above.

THE members of the Convention from the states came there under different powers; the greatest number, I believe, under powers nearly the same as those of the delegates of this state. Some came to the Convention under the former appointment, authorizing the meeting of delegates merely to regulate trade. Those of Delaware were expressly instructed to agree to no system which should take away from the states that equality of suffrage secured by the original Articles of Confederation. Before I arrived, a number of rules had been adopted to regulate the proceedings of the Convention, by one of which, seven states might proceed to business, and consequently four states, the majority of that number, might eventually have agreed upon a system which was to affect the whole Union. By another, the doors were to be shut, and the whole proceedings were to be kept secret; and so far did this rule extend, that we were thereby prevented from corresponding with gentlemen in the different states upon the subjects under our discussion — a circumstance, sir, which I confess I greatly regretted. . . . So *extremely solicitous* were they that their proceedings should not transpire, that the members were prohibited even from taking copies of resolutions, on which the Convention were deliberating, or extracts of any kind from the Journals, without formally moving for, and obtaining permission, by a vote of the Convention for that purpose.

You have heard [,] sir, the resolutions which were brought forward by the honorable member from Virginia. . . .

The object of *Virginia* and *other large states, to increase their power and influence over the others*, did not escape observation. The subject, however, was discussed with great coolness in the committee of the whole house, (for the Convention had resolved itself into a committee of the whole, to deliberate upon the propositions delivered in by the honorable member from Virginia.) . . . The propositions originally submitted to the Convention having been debated, and undergone a variety of alterations in the course of our proceedings, the committee of the whole house, by a *small majority*, agreed to a *report* . . .

These propositions, sir, were *acceded to* by a *majority of the members of the committee* — a system by which the *large states were to have not only an inequality of suffrage in the first branch*, but also *the same inequality* in the *second branch*, or Senate. . . . Having this inequality *in each branch* of the legislature, it must be evident, sir, that *they would make what laws they pleased, however injurious or disagreeable to the other states*, and that *they would always prevent the other states from making any laws, however necessary and proper, if not agreeable to the views of those three states.* They were not only, sir, by this system, to have such an undue superiority in making laws and regulations for the Union, but to have the same superiority in the *appointment* of the *President*, the *judges*, and all *other officers* of government.

Hence these three states would, in reality, have the appointment of the President, judges, and all other officers. . . . This President, so appointed by the three large states, and so unduly under their influence, was to have a negative upon every law that should be passed, which, if negatived by him, was not to take effect unless assented to by two thirds of each branch of the legislature — a provision which deprived ten states of even the faintest shadow of liberty . . .

When, contrary to our hopes, it was found that a majority of the members of the Convention had, in the committee, agreed to the system I have laid before you, we then thought it necessary to bring forward the propositions which such of us who had disapproved the plan before had prepared. The members who prepared these resolutions were principally of the Connecticut, New York, New Jersey, Delaware, and Maryland delegations. . . .

These propositions were referred to a committee of the whole house. . . .

The result of the reference of these last propositions to a committee, was a speedy and hasty determination to reject them. I doubt not, sir, to those who consider them with attention, so sudden a rejection will appear surprising; but it may be proper to inform you, that, on our meeting in Convention, it was soon found there were among us three parties of very different sentiments and views: —

One party, whose object and wish it was to abolish and annihilate all state governments, and to bring forward one general government over this extensive continent, of a monarchical nature, under certain restrictions and limitations. Those who openly avowed this sentiment were, it is true, but few; yet it is equally true, sir, that there was a considerable number who did not openly avow it, who were, by myself and many others of the Convention, considered as being in reality favorers of that sentiment, and, acting upon those principles, covertly endeavoring to carry into effect what they well knew openly and avowedly could not be accomplished. The second party was not for the abolition of the state governments, nor for the introduction of a monarchical government under any form; but they wished to establish such a system as could give their own states undue power and influence . . .

A third party was what I considered truly federal and republican. This party was nearly equal in number with the other two, and was composed of the delegations from Connecticut, New York, New Jersey, Delaware, and in part from Maryland; also of some individuals from other representations. This party, sir, were for proceeding upon terms of *federal equality;* they were for taking our present *federal system* as the basis of their proceedings, and, as far as experience had shown us that there were defects, to remedy those defects; as far as experience had shown that other powers were necessary to the federal government, to give those powers. They considered this the object for which they were sent by their states, and what their states expected from them. They urged that if, after doing this, experience should show that there still were defects in the system, (as no doubt there would be,) the same good sense that induced this Convention to be called, would cause the states, when they found it necessary, to call another; and if that convention should act with the same moderation, the members of it would proceed to correct such errors and defects as experience should have brought to light — that, by proceeding in this train, we should have a prospect at length of obtaining as perfect a system of federal government as the nature of things would admit.

On the other hand, if we, contrary to the purpose for which we were intrusted, considering ourselves as master-builders, too proud to amend our original government, should demolish it entirely, and erect a new system of our own, a short time might show the new system as defective as the old, perhaps more so. Should a convention be found necessary again, if the members thereof, acting upon the same principles, instead of amending and correcting its defects, should demolish that entirely, and bring forward a third system, that also might soon be found no better than either of the former; and thus we might always remain young in government, and always suffering the inconveniences of an incorrect, imperfect system.

But, sir, the favorers of monarchy, and those who wished the total abolition of state governments, — well knowing that a government founded on *truly federal principles*, the bases of which were the *thirteen state governments preserved in full force and energy*, would be destructive of their views; and knowing they were too weak in numbers openly to bring forward their system; conscious, also, that the people of America would reject it if proposed to them, — joined their interest with that party who wished a system giving *particular states* the *power* and *influence over the others*, procuring, in return, mutual sacrifices from them, in giving the government *great* and *undefined powers* as to its *legislative* and *executive;* well knowing that, by *departing from a federal system*, they paved the way for their favorite object — the *destruction of the state governments*, and the introduction of *monarchy*. . . . From these different sentiments, and from this combination of interest, *I apprehend*, sir, proceeded the fate of what was called the Jersey resolutions, and the report made by the committee of the whole house.

The Jersey propositions being thus rejected, the Convention took up those reported by the committee, and proceeded to debate them by paragraphs. It was now that they who disapproved the report found it necessary to make a *warm* and *decided opposition*, which took place upon the discussion of the seventh resolution, which related to the *inequality* of representation in the *first* branch. . . .

. . . When driven from the pretence that the equality of suffrage had been originally agreed to on principles of expediency and necessity, the representatives of the large states persisted in a declaration, that they would never agree to admit the smaller states to an equality of suffrage. In answer to this, they were informed, and informed in terms the most strong and energetic that could possibly be used, that *we never*

would agree to a system giving them the undue influence and superiority they proposed . . .

At length, sir, after every argument had been exhausted by the advocates of equality of representation, the question was called, when a majority decided in favor of the inequality . . . Next day, the question came on with respect to the inequality of representation in the second branch; but little debate took place; the subject had been exhausted on the former question. On the votes being taken . . . the Convention being equally divided, — five states for the measure, five against, and one divided, — there was a total stand; and we did not seem very likely to proceed any farther. At length, it was proposed that a select committee should be balloted for, composed of a member from each state, which committee should endeavor to devise some mode of reconciliation or compromise. I had the honor to be on that committee. We met, and discussed the subject of difference. The *one side* insisted on the *inequality* of suffrage in both branches; the *other side, equality* in both. . . .

. . . However, the majority of the select committee at length agreed to a series of propositions by way of compromise, — part of which related to the representation in the first branch, nearly as the system is now published, and part of them to the second branch, securing in that equal representation, — and reported them as a compromise upon the *express terms* that they were wholly to be adopted or wholly to be rejected. . . . This report of the select committee was, after long dissension, adopted by a majority of the Convention, and the system was proceeded in accordingly. I believe near a fortnight — perhaps more — was spent in the discussion of this business, during which we were on the verge of dissolution, scarce held together by the strength of a hair, though the public papers were announcing our extreme unanimity. . . .

Agreeably to the Articles of Confederation, entered into in the *most solemn manner*, and for the *observance* of which the states pledged themselves to each other . . . no alterations are to be made in those Articles, unless, after they are approved by Congress, they are agreed to, and ratified, by the legislature of every state; but by the resolve of the Convention, this Constitution is not to be ratified by the legislature of the respective states, but is to be submitted to conventions chosen by the people, and, if ratified by them, is to be binding.

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), I, 345–387 *passim*.

CHAPTER XI — RATIFICATION OF THE CONSTITUTION

68. Action of Congress (1787)

BY DELEGATE RICHARD HENRY LEE

Lee belonged to the famous Virginian family of that name, and took a very prominent part in the Revolution. He offered the resolutions of independence in 1776. He opposed the adoption of the new Constitution, fearing that it would lead to a centralized despotism; but he accepted an election to the United States Senate, and supported Washington's administration. His plan of amendment before adoption was much advocated by Anti-Federalists. This letter was addressed to George Mason (see No. 62 above). — For Lee, see R. H. Lee, *Memoir of the Life of Richard Henry Lee.* — Bibliography: Channing and Hart, *Guide*, § 155.

NEW YORK, October 1st, 1787.

. . . I HAVE waited until now to answer your favor of September 10th from Philadelphia, that I might inform you how the Convention plan of government was entertained by Congress. Your prediction of what would happen in Congress was exactly verified. It was with us, as with you, this or nothing; and this urged with a most extreme intemperance. The greatness of the powers given, and the multitude to be created produces a coalition of monarchy men, military men, aristocrats and drones, whose noise, impudence and zeal exceeds all belief. Whilst the commercial plunder of the South stimulates the rapacious trader. In this state of things the patriot voice is raised in vain for such changes and securities as reason and experience prove to be necessary against the encroachments of power upon the indispensable rights of human nature. Upon due consideration of the Constitution under which we now act, some of us were clearly of opinion that the Thirteenth Article of the Confederation precluded us from giving an opinion concerning a plan subversive of the present system, and eventually forming a new Confederacy of nine instead of thirteen States. The contrary doctrine was asserted with great violence in expectation of the strong majority with which they might send it forward under terms of much approbation. Having procured an opinion that Congress was quali-

fied to consider, to amend, to approve or disapprove, the next game was to determine that though a right to amend existed, it would be highly inexpedient to exercise that right, but merely to transmit it with respectful marks of approbation. In this state of things I availed myself of the right to amend, and moved the amendments, a copy of which I send herewith, and called the ayes and nays to fix them on the journal. This greatly alarmed the majority and vexed them extremely; for the plan is to push the business on with great dispatch, and with as little opposition as possible, that it may be adopted before it has stood the test of reflection and due examination. They found it most eligible at last to transmit it merely, without approving or disapproving, provided nothing but the transmission should appear on the journal. This compromise was settled and they took the opportunity of inserting the word *unanimously*, which applied only to simple transmission, hoping to have it mistaken for an unanimous approbation of the thing. It states that Congress having received the Constitution unanimously transmit it, &c. It is certain that no approbation was given. This Constitution has a great many excellent regulations in it, and if it could be reasonably amended would be a fine system. As it is, I think 't is past doubt, that if it should be established, either a tyranny will result from it, or it will be prevented by a civil war. I am clearly of opinion with you that it should be sent back with amendments reasonable, and assent to it withheld until such amendments are admitted. You are well acquainted with Mr. Stone and others of influence in Maryland. I think it will be a great point to get Maryland and Virginia to join in the plan of amendments and return it with them. If you are in correspondence with our chancellor Pendleton it will be of much use to furnish him with the objections, and if he approves our plan, his opinion will have great weight with our Convention; and I am told that his relation Judge Pendleton of South Carolina has decided weight in that State, and that he is sensible and independent. How important will it be then to procure his union with our plan, which might probably be the case if our chancellor was to write largely and pressingly to him on the subject, that if possible it may be amended there also. It is certainly the most rash and violent proceeding in the world to cram thus suddenly into men a business of such infinite moment to the happiness of millions. . . .

Kate Mason Rowland, *The Life of George Mason* (New York, etc., 1892), II, 185–186.

69. Argument of Consolidation (1787)

BY JAMES WINTHROP

The question of the ratification of the Constitution caused an unprecedented storm of pamphlets and newspaper addresses. The letters of "Agrippa" are among the ablest of the Anti-Federal papers written in Massachusetts. They are accredited to James Winthrop, a prominent lawyer of Cambridge, later a judge; and so far as known he never denied the authorship. — Bibliography as in No. 68 above.

To the PEOPLE.

HAVING considered some of the principal advantages of the happy form of government under which it is our peculiar good fortune to live, we find by experience, that it is the best calculated of any form hitherto invented, to secure to us the rights of our persons and of our property, and that the general circumstances of the people shew an advanced state of improvement never before known. We have found the shock given by the war in a great measure obliterated, and the publick debt contracted at that time to be considerably reduced in the nominal sum. The Congress lands are fully adequate to the redemption of the principal of their debt, and are selling and populating very fast. The lands of this state, at the west, are, at the moderate price of eighteen pence an acre worth near half a million pounds in our money. They ought, therefore, to be sold as quick as possible. An application was made lately for a large tract at that price, and continual applications are made for other lands in the eastern part of the state. Our resources are daily augmenting.

We find, then, that after the experience of near two centuries our separate governments are in full vigour. They discover, for all the purposes of internal regulation, every symptom of strength, and none of decay. The new system is, therefore, for such purposes, useless and burdensome.

Let us now consider how far it is practicable consistent with the happiness of the people and their freedom. It is the opinion of the ablest writers on the subject, that no extensive empire can be governed upon republican principles, and that such a government will degenerate to a despotism, unless it be made up of a confederacy of smaller states, each having the full powers of internal regulation. This is precisely the principle which has hitherto preserved our freedom. No instance can be found of any free government of considerable extent which has been

supported upon any other plan. Large and consolidated empires may indeed dazzle the eyes of a distant spectator with their splendour, but if examined more nearly are always found to be full of misery. The reason is obvious. In large states the same principles of legislation will not apply to all the parts. The inhabitants of warmer climates are more dissolute in their manners, and less industrious, than in colder countries. A degree of severity is, therefore, necessary with one which would cramp the spirit of the other. We accordingly find that the very great empires have always been despotick. They have indeed tried to remedy the inconveniences to which the people were exposed by local regulations; but these contrivances have never answered the end. The laws not being made by the people, who felt the inconveniences, did not suit their circumstances. It is under such tyranny that the Spanish provinces languish, and such would be our misfortune and degradation, if we should submit to have the concerns of the whole empire managed by one legislature. To promote the happiness of the people it is necessary that there should be local laws; and it is necessary that those laws should be made by the representatives of those who are immediately subject to the want of them. By endeavouring to suit both extremes, both are injured.

It is impossible for one code of laws to suit Georgia and Massachusetts. They must, therefore, legislate for themselves. Yet there is, I believe, not one point of legislation that is not surrendered in the proposed plan. Questions of every kind respecting property are determinable in a continental court, and so are all kinds of criminal causes. The continental legislature has, therefore, a right to make rules *in all cases* by which their judicial courts shall proceed and decide causes. No rights are reserved to the citizens. The laws of Congress are in all cases to be the supreme law of the land, and paramount to the constitutions of the individual states. The Congress may institute what modes of trial they please, and no plea drawn from the constitution of any state can avail. This new system is, therefore, a consolidation of all the states into one large mass, however diverse the parts may be of which it is to be composed. The idea of an uncompounded republick, on an average, one thousand miles in length, and eight hundred in breadth, and containing six millions of white inhabitants all reduced to the same standard of morals, of habits, and of laws, is in itself an absurdity, and contrary to the whole experience of mankind. The attempt made by Great-Britain to introduce such a system, struck us with horrour, and when it was proposed by some theorists that we should be represented in parliament, we uniformly

declared that one legislature could not represent so many different interests for the purposes of legislation and taxation. This was the leading principle of the revolution, and makes an essential article in our creed. All that part, therefore, of the new system, which relates to the internal government of the states, ought at once to be rejected.

AGRIPPA.

Massachusetts Gazette (Boston), December 3, 1787.

70. A Mock Criticism of the Constitution (1788)

BY HUGH HENRY BRACKENRIDGE

In 1781 Brackenridge had settled at Pittsburg, where he became prominent as a lawyer. Anti-Federalism was very strong among the hardy but ignorant settlers in western Pennsylvania, where it was fostered by extravagant appeals to resist the threatened despotism. Ridicule was the best counter-irritant in that country. Smilie, mentioned in the text, was one of the most fervid Anti-Federalists of western Pennsylvania. — Bibliography as in No. 68 above.

IT is not my intention to enter largely into a consideration of this plan of government, but to suggest some ideas in addition to, and of the same nature with, those already made, shewing the imperfections and the danger of it.

The first thing that strikes a diligent observer, is, the want of precaution with regard to the sex of the president. Is it provided that he shall be of the male gender? The Salii, a tribe of the Burgundians, in the 11th century, excluded females from the sovereignty. Without a similar exclusion, what shall we think, if, in process of time, we should come to have an *old woman* at the head of our affairs? But what security have we that he shall be a *white man?* What would be the national disgrace, if he should be elected from one of the southern states, and a *vile negro* should come to rule over us! Treaties would then be formed with the tribes of Congo and Loango, instead of the civilized nations of Europe. But is there any security that he shall be a *freeman?* Who knows but the electors at a future period, in days of corruption, may pick up a man-servant, a convict perhaps, and give him the dominion? . . .

A senate is the next great constituent part of the government: and yet there is not a word said with regard to the ancestry of any of them, whether they should be altogether Irish, or only Scots Irish. If any of

them have been in the war of the White Boys, the Hearts of Oak, or the like, they may overturn all authority, and make Shilelah the supreme law of the land.

The house of representatives is to be so large, that it can never be built. They may begin it, but it can never be finished. Ten miles square! Babylon itself, unless the suburbs be taken into view, was not of greater extent.

But what avails it, to dwell on these things? The want of a *bill of rights* is the great evil. There was no occasion for a bill of *wrongs;* for there will be wrongs enough. But oh! a *bill of rights!* what is the nature of a bill of rights? "It is a schedule or inventory of those powers which congress do not possess." But if it be clearly ascertained what powers they have, what need of a catalogue of those powers they have not? Ah! there is the mistake. A minister preaching, undertook, first, to shew what was in his text; second, what was not in it. When it is specified what powers are given, why not also what powers are not given? A bill of rights is wanting, and all those things which are usually secured under it —

1. The *rights of conscience* are swept away. The confession of faith, the prayer-book, the manual, and pilgrim's progress are to go. The psalms of Watts, I am told, are the only thing of the kind that is to have any quarter [at] all.

[2.] The *liberty of the press;* — that is gone at the first stroke. Not so much as an advertisement for a stray horse, or a runaway negro, can be put in any of the gazettes.

3. The *trial by jury;* — that is knocked in the head: and all that worthy class of men, the lawyers, who live by haranguing and bending the juries, are demolished.

I would submit it to any candid man, if in this constitution there be the least provision for the privilege of shaving the beard? or is there any mode laid down to take the measure of a pair of breeches? Whence is it then, that men of learning seem so much to approve, while the ignorant are against it? The cause is perfectly apparent, viz. that reason is an erring guide, while instinct, which is the governing principle of the untaught, is certain. Put a pig in a poke, carry it half a day's journey through woods and by-ways; let it out, and it will run home without deviation. Could dr. Franklin do this? What reason have we then to suppose that his judgment, or that of Washington, could be equal to that of mr. Smilie in state affairs?

Were it not on this principle that we are able to account for it, it might be thought strange, that old Livingston, of the Jersies, could be so hoodwinked, as to give his sanction to such a diabolical scheme of tyranny amongst men — a constitution which may well be called hell-born. For if all the devils in Pandemonium had been employed about it, they could not have made a worse. Neil Mac-Laughlin, a neighbour of mine, who has been talking with mr. Findley, says, that under this constitution all weavers are to be put to death. What have these innocent manufacturers done, that they should be proscribed?

Let other states think what they will of it, there is one reason why every Pennsylvanian should execrate this imposition upon mankind. It will make his state most probably the seat of government, and bring all the officers, and cause a great part of the revenue to be expended here. This must make the people rich, enable them to pay their debts, and corrupt their morals. Any citizen, therefore, on the Delaware and Susquehannah waters, ought to be hanged and quartered, that would give it countenance.

I shall content myself at present with these strictures, but shall continue them from time to time as occasion may require.

Pittsburgh Gazette, April (?), 1788; reprinted in *The American Museum* (second edition, Philadelphia, 1790), III, No. IV, 364–365 *passim*.

71. How John Hancock Supported the Constitution (1788)

BY STEPHEN HIGGINSON (1789)

Higginson was a prominent merchant of Boston and a stanch Federalist. In 1788 Hancock was governor of Massachusetts and presiding officer of the state ratifying convention. The plan placed in Hancock's hands favored the adoption of the Constitution with a list of amendments to be acted upon later, a compromise which greatly facilitated the ratification of the Constitution in Massachusetts and in other states. The letters signed "Laco" were written in 1789 against Hancock's candidacy for reëlection as governor. The "Old Patriot" of the text was Samuel Adams. — For Hancock, see Winsor, *Narrative and Critical History*, VI, 107, 271. — Bibliography as in No. 68 above; see also S. B. Harding, *Ratification of the Federal Constitution in Massachusetts*, 180–184.

THERE are men in every free society, who have not a common interest with the community at large; and who rely wholly on the popular affection in their favour, to give them promotion and support in

publick life. . . . Without abilities to make them really useful in publick life, and devoid of principles or merits that can command respect, they have no dependence but upon popular inattention to bring them into view; and, having been long attentive to the popular pulse, and always acquainted with the darling object with the multitude for the time, they rarely fail to touch the right string, and to make the people subserve their own selfish and private views. . . . There cannot be found within the compass of our memory, an instance, so strongly verifying the preceding observation, as that of Mr. H. and his adhering dependents. . . .

. . . The course of his conduct from his reassuming the chair, to the meeting of our State Convention, for considering and adopting the new form of government for the Union, was nothing more than a renewed exhibition of the same levities, and a uniform preference of his own private interest, to that of the public.

A scene now opens upon us, very interesting and important: — The objects which [were] then presented for our consideration, were so novel, and of such magnitude, as deservedly engrossed the feelings and the attention of every man. No one could remain mute and indifferent, while the question as to the New Constitution was pending; and every one, who felt no other bias than a regard to the safety and happiness of our country must necessarily create, was most anxiously solicitous for its adoption. But the popular demagogues, and those [who] were very much embarrassed in their affairs, united to oppose it with all their might; and they laboured incessantly, night and day, to alarm the simple and credulous, by insinuating, that, however specious its appearance, and that of its advocates, tyranny and vassalage would result from its principles. The former of those descriptions were conscious, that a stable and efficient government, would deprive them of all future importance, or support from the publick; and the latter of them knew, that nothing but weakness and convulsions in government could screen them from payment of their debts. How far Mr. H. was influenced by either, or both of those motives, it is not easy to determine; but no one, who recollects his general habits, who knows his situation and views, and was acquainted with the open conversation and conduct of his cabinet counsellors, can have a doubt of his being opposed to it. We all know, that Mr. Quondam, and Mr. Changeling, as well as the *once venerable old Patriot,* who, by a notable defection, has lately thrown himself into the arms of Mr. H. in violation of every principle; and for the paltry privi-

lege of sharing in his smiles, has, at the eve of life, cast an indelible stain over his former reputation — it is well known, I say, that these men do not dare to speak in publick, a language opposite to that of their patron; and it is equally notorious, that they were open in their opposition to the Constitution — They even went so far as to vilify its compilers, that they might thence draw an argument to support their suggestions, of its containing the seeds of latent tyranny and oppression. They endeavoured by every possible mean in their power, to create a popular clamour against the Constitution; but they failed in their attempt; and Mr. H. and his friends were obliged, upon their own principles, to grow more cautious in their opposition. The good sense of the *Mechanicks of Boston*, had produced some manly and spirited resolutions, which effectually checked Mr. H. and his followers in their opposition to the Constitution; and eventually occasioned *four* votes in its favour, which otherwise would have been most certainly against it. Had those resolutions not made their appearance, Mr. H. and three others of our Delegates would have been in the negative; but it was thought necessary by them, after they had appeared, to vote in favour of it. Having settled this point, the next thing was to do it with a good grace, and to profit as much by it as they could; and Mr. H. accordingly intimated to the advocates for the adoption, that he would appear in its favour, if they would make it worth his while. This intimation was given through a common friend, who assured the friends of the Constitution, that nothing more would be required on the part of Mr. H. than a promise to support him in the chair at the next election. This promise, though a bitter pill, was agreed to be given; for such was the state of things, that they were very much afraid to decide upon the question, whilst he was opposed to it. The famous conciliatory proposition of Mr. H. as it was called, was then prepared by the advocates, and adopted by him; but the truth is, he never was consulted about it, nor knew its contents, before it was handed to him to bring forward in Convention. At the appointed time, Mr. H. with all the parade of an Arbiter of States, came out with the motion, not only in the words, but the very original paper that was given him; and, with a confidence astonishing to all who were in the secret, he called it his own, and said it was the result of his own reflections on the subject, in the short intervals of ease which he had enjoyed, during a most painful disorder. In this pompous and farcical manner did he make that famous proposition, upon which he and his adherents have arrogated so much; but neither

he nor they have any other merit in the case, than an attempt to deceive both parties, can fairly entitle them. For, at the very time he was buoying up the hopes of the advocates, he was assuring the opposers of the Constitution, by his emissaries, that he was really averse to it; and upon the strictest scrutiny we cannot find, that any one vote was gained by his being ostensibly in favour of it. The votes of the Old Patriot, and Mr. Changeling, and Mr. Joyce, jun. we know were determined in its favour, by the resolutions of the Mechanicks; but the votes of many others, who used implicitly to follow Mr. H. were in the negative, which were counted upon by the friends of the Constitution, as being certain on their side. This is a strong confirmation that Mr. H. was then playing a game, which these people well understood; and indeed they, some of them, explicitly declared it at the time. His subsequent conduct, in regard to amendments, is a clear proof also, that by appearing in its favour in Convention, he did not mean to support it; and that he was not serious when he declared his proposition to be only conciliatory, and not to remedy any defects existing in his mind in the constitution as reported, which he explicitly declared at the time was the case.

[Stephen Higginson], *The Writings of Laco* (Boston, 1789), No. VII, 23–26 *passim*.

72. Defence of the Constitution (1788)

BY DELEGATE ALEXANDER HAMILTON

Hamilton did not play an important part in the framing convention, being hindered by his own extreme views and by the reactionary attitude of his colleagues; but when the plan was before the people he was the most brilliant and convincing of its advocates, both in the *Federalist* and in the New York convention. — For Hamilton, see No. 54 above. — Bibliography as in No. 68 above.

[June 20, 1788.] IN order that the committee may understand clearly the principles on which the general Convention acted, I think it necessary to explain some preliminary circumstances. Sir, the natural situation of this country seems to divide its interests into different classes. There are navigating and non-navigating states. The Northern are properly navigating states: the Southern appear to possess neither the means nor the spirit of navigation. This difference of situation naturally produces a dissimilarity of interests and views respecting foreign commerce. It was the

interest of the Northern States that there should be no restraints on their navigation, and they should have full power, by a majority in Congress, to make commercial regulations in favor of their own, and in restraint of the navigation of foreigners. The Southern States wish [ed] to impose a restraint on the Northern, by requiring that two thirds in Congress should be requisite to pass an act in regulation of commerce. They were apprehensive that the restraints of a navigation law would discourage foreigners, and, by obliging them to employ the shipping of the Northern States, would probably enhance their freight. This being the case, they insisted strenuously on having this provision ingrafted in the Constitution; and the Northern States were as anxious in opposing it. On the other hand, the small states, seeing themselves embraced by the Confederation upon equal terms, wished to retain the advantages which they already possessed. The large states, on the contrary, thought it improper that Rhode Island and Delaware should enjoy an equal suffrage with themselves. From these sources a delicate and difficult contest arose. It became necessary, therefore, to compromise, or the Convention must have dissolved without effecting any thing. Would it have been wise and prudent in that body, in this critical situation, to have deserted their country? No. Every man who hears me, every wise man in the United States, would have condemned them. The Convention were obliged to appoint a committee for accommodation. In this committee, the arrangement was formed as it now stands, and their report was accepted. It was a delicate point, and it was necessary that all parties should be indulged. Gentlemen will see that, if there had not been a unanimity, nothing could have been done; for the Convention had no power to establish, but only to recommend, a government. Any other system would have been impracticable. Let a convention be called to-morrow; let them meet twenty times, — nay, twenty thousand times; they will have the same difficulties to encounter, the same clashing interests to reconcile. . . .

[June 21.] Sir, we hear constantly a great deal which is rather calculated to awake our passions, and create prejudices, than to conduct us to the truth, and teach us our real interests. I do not suppose this to be the design of the gentlemen. Why, then, are we told so often of an aristocracy? For my part, I hardly know the meaning of this word, as it is applied. If all we hear be true, this government is really a very bad one. But who are the aristocracy among us? Where do we find men elevated to a perpetual rank above their fellow-citizens, and possess-

ing powers entirely independent of them? The arguments of the gentlemen only go to prove that there are men who are rich, men who are poor, some who are wise, and others who are not; that, indeed, every distinguished man is an aristocrat. This reminds me of a description of the aristocrats I have seen in a late publication styled the Federal Farmer. The author reckons in the aristocracy all governors of states, members of Congress, chief magistrates, and all officers of the militia. This description, I presume to say, is ridiculous. The image is a phantom. Does the new government render a rich man more eligible than a poor one? No. It requires no such qualification. It is bottomed on the broad and equal principle of your state constitution.

Sir, if the people have it in their option to elect their most meritorious men, is this to be considered as an objection? Shall the Constitution oppose their wishes, and abridge their most invaluable privilege? While property continues to be pretty equally divided, and a considerable share of information pervades the community, the tendency of the people's suffrages will be to elevate merit even from obscurity. As riches increase and accumulate in few hands, as luxury prevails in society, virtue will be in a greater degree considered as only a graceful appendage of wealth, and the tendency of things will be to depart from the republican standard. This is the real disposition of human nature: it is what neither the honorable member nor myself can correct; it is a common misfortune, that awaits our state constitution as well as all others.

There is an advantage incident to large districts of election, which perhaps the gentlemen, amidst all their apprehensions of influence and bribery, have not adverted to. In large districts, the corruption of the electors is much more difficult; combinations for the purposes of intrigue are less easily formed; factions and cabals are little known. In a small district, wealth will have a more complete influence, because the people in the vicinity of a great man are more immediately his dependants, and because this influence has fewer objects to act upon. It has been remarked, that it would be disagreeable to the middle class of men to go to the seat of the new government. If this be so, the difficulty will be enhanced by the gentleman's proposal. If his argument be true, it proves that the larger the representation is, the less will be your chance of having it filled. But it appears to me frivolous to bring forward such arguments as these. It has answered no other purpose than to induce me, by way of reply, to enter into discussion, which I consider as useless, and not applicable to our subject.

It is a harsh doctrine that men grow wicked in proportion as they improve and enlighten their minds. Experience has by no means justified us in the supposition that there is more virtue in one class of men than in another. Look through the rich and the poor of the community, the learned and the ignorant. Where does virtue predominate? The difference indeed consists, not in the quantity, but kind, of vices which are incident to various classes; and here the advantage of character belongs to the wealthy. Their vices are probably more favorable to the prosperity of the state than those of the indigent, and partake less of moral depravity.

After all, sir, we must submit to this idea, that the true principle of a republic is, that the people should choose whom they please to govern them. Representation is imperfect in proportion as the current of popular favor is checked. This great source of free government, popular election, should be perfectly pure, and the most unbounded liberty allowed. Where this principle is adhered to; where, in the organization of the government, the legislative, executive, and judicial branches are rendered distinct; where, again, the legislature is divided into separate houses, and the operations of each are controlled by various checks and balances, and, above all, by the vigilance and weight of the state governments, — to talk of tyranny, and the subversion of our liberties, is to speak the language of enthusiasm. This balance between the national and state governments ought to be dwelt on with peculiar attention, as it is of the utmost importance. It forms a double security to the people. If one encroaches on their rights, they will find a powerful protection in the other. Indeed, they will both be prevented from overpassing their constitutional limits, by a certain rivalship, which will ever subsist between them. I am persuaded that a firm union is as necessary to perpetuate our liberties as it is to make us respectable; and experience will probably prove that the national government will be as natural a guardian of our freedom as the state legislature[s] themselves.

Suggestions, sir, of an extraordinary nature, have been frequently thrown out in the course of the present political controversy. It gives me pain to dwell on topics of this kind, and I wish they might be dismissed. We have been told that the old Confederation has proved inefficacious, only because intriguing and powerful men, aiming at a revolution, have been forever instigating the people, and rendering them disaffected with it. This, sir, is a false insinuation. The thing is impossible. I will venture to assert, that no combination of designing men

under heaven will be capable of making a government unpopular which is in its principles a wise and good one, and vigorous in its operations.

The Confederation was framed amidst the agitation and tumults of society. It was composed of unsound materials, put together in haste. Men of intelligence discovered the feebleness of the structure, in the first stages of its existence; but the great body of the people, too much engrossed with their distresses to contemplate any but the immediate causes of them, were ignorant of the defects of their constitution. But when the dangers of war were removed, they saw clearly what they had suffered, and what they had yet to suffer, from a feeble form of government. There was no need of discerning men to convince the people of their unhappy situation; the complaint was coëxtensive with the evil, and both were common to all classes of the community. We have been told that the spirit of patriotism and love of liberty are almost extinguished among the people, and that it has become a prevailing doctrine that republican principles ought to be hooted out of the world. Sir, I am confident that such remarks as these are rather occasioned by the heat of argument than by a cool conviction of their truth and justice. As far as my experience has extended, I have heard no such doctrine; nor have I discovered any diminution of regard for those rights and liberties, in defence of which the people have fought and suffered. There have been, undoubtedly, some men who have had speculative doubts on the subject of government; but the principles of republicanism are founded on too firm a basis to be shaken by a few speculative and skeptical reasoners. Our error has been of a very different kind. We have erred through excess of caution, and a zeal false and impracticable. Our counsels have been destitute of consistency and stability. I am flattered with the hope, sir, that we have now found a cure for the evils under which we have so long labored. I trust that the proposed Constitution affords a genuine specimen of representative and republican government, and that it will answer, in an eminent degree, all the beneficial purposes of society.

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), II, 235–259 *passim*.

73. Plea for States' Rights (1788)

BY DELEGATE JOHN LANSING

Lansing had been a member of the framing convention, but had left with his colleague, Yates (see No. 64 above). In the New York convention he was author of many of the amendments proposed by that body, and was one of Hamilton's chief opponents. He was a jurist of note (see No. 63 above), and ended his official career as chancellor of the state. The extract given below is from a speech in the New York convention on the taxation power of Congress. — Bibliography as in No. 68 above.

[June 28, 1788.] . . . THIS clause, Mr. Chairman, is, by every one, considered as one of the most important in the Constitution. . . . The committee have been informed that it embraces a great variety of objects, and that it gives the general government a power to lay all kinds of *taxes* . . . These powers reach every possible source of revenue. They will involve a variety of litigations, which can come only under the cognizance of the judiciary of the United States. Hence it must appear that these powers will affect, in an unlimited manner, the property of the citizens; that they will subject them, in a great degree, to the laws of the Union, and give an extensive jurisdiction to the federal courts. The objects of the amendment are, to prevent excises from being laid on the manufactures of the United States, and to provide that direct taxes shall not be imposed till requisitions have been made and proved fruitless.

. . . Sir, it has been declared that we can no longer place confidence in requisitions. . . .

Sir, have the states ever shown a disposition not to comply with the requisitions? We shall find that, in almost every instance, they have, so far forth as the passing a law of compliance, been carried into execution. To what, then, are the delinquencies to be attributed? They must be to the impoverished state of the country. If the state governments have been unable to compel the people to obey their laws, will Congress be able to coerce them? Will the federal taxes be better paid? But, sir, no reasonable man will be apprehensive of the non-compliance of the states, under the operation of the proposed plan. The right of enforcing the requisitions will furnish the strongest motive for the performance of the federal duty. With this powerful inducement, there is hardly a possibility of failure. It has been asked, Why give the individual states the preference? Why not suffer the general government to apply to the people in the first instance, with-

out the formality of a requisition? This question has been repeatedly asked, and as often answered. It is because the state legislatures are more nearly connected with the people, and more acquainted with their situation and wants. They better know when to enforce or relax their laws; to embrace objects or relinquish them, according to change of circumstances: they have but a few varying interests to comprehend in general provisions. Congress do not possess these advantages; they cannot have so complete an acquaintance with the people; their laws, being necessarily uniform, cannot be calculated for the great diversity of objects which present themselves to government. It is possible that the men delegated may have interests different from those of the people. It is observed that we have had experience of different kinds of taxes, which have been executed by different officers, — for instance, county and state taxes, — and that there has been no clashing or interference. But, sir, in these cases, if any dispute arises, the parties appeal to a common tribunal; but if collectors are appointed by different governments, and authorized by different laws, the federal officer will appeal to a federal court; his adversary will appeal to the state court. Will not this create contests respecting jurisdiction? But the Constitution declares that the laws of the United States shall be supreme. There is no doubt, therefore, that they must prevail in every controversy; and every thing which has a tendency to obstruct the force of the general government must give way.

An honorable gentleman from New York has remarked that the idea of *danger to state governments* can only originate in a distempered fancy; he stated that they were necessary component parts of the system, and informed us how the President and senators were to be elected; his conclusion is, that the liberties of the people cannot be endangered. I shall only observe, that, however fanciful these apprehensions may appear to him, they have made serious impressions upon some of the greatest and best men. Our fears arise from the experience of all ages and our knowledge of the dispositions of mankind. I believe the gentleman cannot point out an instance of the rights of a people remaining for a long period inviolate. . . . Sir, wherever the revenues and the military force are, there will rest the power: the members or the head will prevail, as one or the other possesses these advantages. . . . Sir, if you do not give the state governments a power to protect themselves, if you leave them no other check upon Congress than the power of appointing senators, they will certainly be overcome, like the barons of

whom the gentleman has spoken. Neither our civil nor militia officers will afford many advantages of opposition against the national government: if they have any powers, it will ever be difficult to concentrate them, or give them a uniform direction. Their influence will hardly be felt, while the greater number of lucrative and honorable places, in the gift of the United States, will establish an influence which will prevail in every part of the continent.

It has been admitted by an honorable gentleman from New York, (Mr. Hamilton,) that the state governments are necessary to secure the liberties of the people. He has urged several forcible reasons why they ought to be preserved under the new system; and he has treated the idea of the general and state governments being hostile to each other as chimerical. I am, however, firmly persuaded that an hostility between them will exist. This was a received opinion in the late Convention at Philadelphia. . . .

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), II, 371–376 *passim*.

74. Washington and the Virginia Convention (1788)

BY DELEGATE JAMES MONROE

Monroe, successively lieutenant-colonel, assemblyman, delegate to the Congress of the Confederation, member of the Virginia ratifying convention, United States senator, minister at foreign courts, governor, secretary of state, and president, assisted Patrick Henry and George Mason in the futile attempt to prevent Virginia's ratification. This letter was addressed to Jefferson, then in France. The governor mentioned in the text was Edmund Randolph. — For Monroe, see J. F. Jameson, *Bibliography*, in D. C. Gilman, *James Monroe*, Appendix IV; W. E. Foster, *Presidential Administrations*, 15–19; James Monroe, *Writings*, *passim*. — Bibliography as in No. 68 above.

FREDERICKSBURG, July 12, 1788.

. . . ALTHO' I am persuaded you will have received the proceedings of our convention upon the plan of government submitted from Phil[a] yet as it is possible this may reach you sooner than other communications I herewith inclose a copy to you. They terminated as you will find in a ratification which must be consider'd, so far as a reservation of certain rights go, as conditional, with the recommendation of subsequent amendments. The copy will designate to you the part which different gen[n] took upon this very interesting & impor-

tant subject. The detail in the management of the business, from your intimate knowledge of characters, you perhaps possess with great accuracy, without a formal narration of it. Pendleton tho' much impaired in health and in every respect in the decline of life shewed as much zeal to carry it, as if he had been a young man. Perhaps more than he discover'd in the commencement of the late revolution in his opposition to G. Britain. Wythe acted as chairman to the committee of the whole and of course took but little part in the debate — but was for the adoption relying on subsequent amendments. Blair said nothing, but was for it. The governor exhibited a curious spectacle to view. Having refused to sign the paper every body supposed him against it. But he afterwards had written a letter & having taken a part which might be called rather vehement than active, he was constantly labouring to shew that his present conduct was consistent with that letter & the letter with his refusal to sign. Madison took the principal share in the debate for it. In which together with the aid I have already mention'd he was somewhat assisted by Innes, Lee, Marshal, Corbin, & G. Nicholas, as Mason, Henry & Grayson were the principal supporters of the opposition. The discussion as might have been expected where the parties were so nearly on a balance, was conducted generally with great order, propriety & respect of either party to the other — and its event was accompanied with no circumstance on the part of the victorious that was extra^y exultation, nor of depression on the part of the unfortunate. There was no bonfire illumination &^c and had there been I am inclin'd to believe, the opposition wo^d have not only express'd no dissatisfaction, but have scarcely felt any at it, for they seemed to be gov^d by principles elevated highly above circumstances so trivial & transitory in their nature.

The conduct of Gen^l Washington upon this occasion has no doubt been right and meritorious. All parties had acknowledged defects in the federal system, and been sensible of the propriety of some material change. To forsake the honorable retreat to which he had retired & risque the reputation he had so deservedly acquir'd, manifested a zeal for the publick interest, that could after so many and illustrious services, & at this stage of his life, scarcely have been expected from him. Having however commenc'd again on the publick theatre, the course which he takes becomes not only highly interesting to him but likewise so to us: the human character is not perfect; if he partakes of those qualities which we have too much reason to believe are almost inseparable from the frail nature of our being, the people of America will

perhaps be lost. Be assured his influence carried this Government; for my own part I have a boundless confidence in him nor have I any reason to believe he will ever furnish occasion for withdrawing it. More is to be apprehended if he takes a part in the public councils again, as he advances in age, from the designs of those around him than from any disposition of his own.

In the discussion of the subject an allusion was made I believe in the first instance, by Mr. Henry to an opinion you had given on this subject, in a letter to Mr. Donald. This afterwards became the subject of much inquiry & debate in the house, as to the construction of the contents of such letter & I was happy to find the great attention & universal respect with which the opinion was treated, as well as the great regard and high estimation in which the author of it was held. . . .

James Monroe, *Writings* (edited by Stanislaus Murray Hamilton, New York, etc., 1898), I, 184–187.

75. Obstinate Objectors (1788)

BY DELEGATES JOSEPH TAYLOR, REVEREND DAVID CALDWELL, AND WILLIAM GOUDY

These objectors in the North Carolina convention voiced the sentiments of a majority of the people of that state, and prevented ratification. Their arguments were those usually put forth by rural Anti-Federalists, though in North Carolina the advocates of paper money did more to prevent ratification than they did elsewhere, except in Rhode Island. — Bibliography as in No. 68 above. — See also No. 67 above.

[July 24, 1788.] THE preamble of the Constitution was then read. . . .

Mr. JOSEPH TAYLOR. Mr. Chairman, the very wording of this Constitution seems to carry with it an assumed power. *We, the people*, is surely an assumed power. Have they said, We, the delegates of the people? It seems to me that, when they met in Convention, they assumed more power than was given them. Did the people give them the power of using their name? This power was in the people. They did not give it up to the members of the Convention. If, therefore, they had not this power, they assumed it. It is the interest of every man, who is a friend to liberty, to oppose the assumption of power as soon as possible. I see no reason why they assumed this power. Matters may be carried still farther. This is a consolidation of all the states. Had it said, *We, the states*, there would have been a federal intention in

it. But, sir, it is clear that a consolidation is intended. Will any gentleman say that a consolidated government will answer this country? It is too large. The man who has a large estate cannot manage it with convenience. I conceive that, in the present case, a consolidated government can by no means suit the genius of the people. The gentleman from Halifax (Mr. Davie) mentioned reasons for such a government. They have their weight, no doubt; but at a more convenient time we can show their futility. We see plainly that men who come from New England are different from us. They are ignorant of our situation; they do not know the state of our country. They cannot with safety legislate for us. I am astonished that the servants of the legislature of North Carolina should go to Philadelphia, and, instead of speaking of the *state* of North Carolina, should speak of the *people*. I wish to stop power as soon as possible; for they may carry their assumption of power to a more dangerous length. I wish to know where they found the power of saying *We, the people*, and of consolidating the states. . . .

The clerk then read the 1st section of the 1st article.

Mr. CALDWELL. Mr. Chairman, I am sorry to be objecting, but I apprehend that all the legislative powers granted by this Constitution are not vested in a Congress consisting of the Senate and the House of Representatives, because the Vice-President has a right to put a check on it. This is known to every gentleman in the Convention. How can all the legislative powers granted in that Constitution be vested in the Congress, if the Vice-President is to have a vote in case the Senate is equally divided? I ask for information, how it came to be expressed in this manner, when this power is given to the Vice-President. . . .

[July 25.] 6th clause of the 3d section read. . . .

Mr. J. TAYLOR. Mr. Chairman, my apprehension is, that this clause is connected with the other, which gives the sole power of impeachment, and is very dangerous. When I was offering an objection to this part, I observed that it was supposed by some, that no impeachments could be preferred but by the House of Representatives. I concluded that perhaps the collectors of the United States, or gatherers of taxes, might impose on individuals in this country, and that these individuals might think it too great a distance to go to the seat of federal government to get redress, and would therefore be injured with impunity. I observed that there were some gentlemen, whose abilities are great, who construe it in a different manner. They ought to be kind enough to carry their construction not to the mere letter, but to the meaning. I

observe that, when these great men are met in Congress, in consequence of this power, they will have the power of appointing all the officers of the United States. My experience in life shows me that the friends of the members of the legislature will get the offices. These senators and members of the House of Representatives will appoint their friends to all offices. These officers will be great men, and they will have numerous deputies under them. The receiver-general of the taxes of North Carolina must be one of the greatest men in the country. Will he come to me for his taxes? No. He will send his deputy, who will have special instructions to oppress me. How am I to be redressed? I shall be told that I must go to Congress, to get him impeached. This being the case, whom am I to impeach? A friend of the representatives of North Carolina. For, unhappily for us, these men will have too much weight for us; they will have friends in the government who will be inclined against us, and thus we may be oppressed with impunity. . . .

[July 26.] The 1st clause of the 8th section read. . . .

Mr. GOUDY. Mr. Chairman, this is a dispute whether Congress shall have great, enormous powers. I am not able to follow these learned gentlemen through all the labyrinths of their oratory. Some represent us as rich, and not honest; and others again represent us as honest, and not rich. We have no gold or silver, no substantial money, to pay taxes with. This clause, with the clause of elections, will totally destroy our liberties. The subject of our consideration therefore is, whether it be proper to give any man, or set of men, an unlimited power over our purse, without any kind of control. The purse-strings are given up by this clause. The sword is also given up by this system. Is there no danger in giving up both? There is no danger, we are told. It may be so; but I am jealous and suspicious of the liberties of mankind. And if it be a character which no man wishes but myself, I am willing to take it. Suspicions, in small communities, are a pest to mankind; but in a matter of this magnitude, which concerns the interest of millions yet unborn, suspicion is a very noble virtue. Let us see, therefore, how far we give power; for when it is once given, we cannot take it away. It is said that those who formed this Constitution were great and good men. We do not dispute it. We also admit that great and learned people have adopted it. But I have a judgment of my own; and, though not so well informed always as others, yet I will exert it when manifest danger presents itself. When the power of the purse and the sword is given up, we dare not think for ourselves. In case of war,

the last man and the last penny would be extorted from us. That the Constitution has a tendency to destroy the state governments, must be clear to every man of common understanding. Gentlemen, by their learned arguments, endeavor to conceal the danger from us. I have no notion of this method of evading arguments, and of clouding them over with rhetoric, and, I must say, sophistry too. But I hope no man will be led astray with them. . . .

[July 29.] 2d clause [of Article 6] read. . . .

Mr. CALDWELL. Mr. Chairman, it is very evident that there is a great necessity for perspicuity. In the sweeping clause, there are words which are not plain and evident. It says that "this Constitution, and the laws of the United States which shall be made in pursuance thereof, &c., shall be the supreme law of the land." The word *pursuance* is equivocal and ambiguous; a plainer word would be better. They may pursue bad as well as good measures, and therefore the word is improper; it authorizes bad measures. Another thing is remarkable,—that gentlemen, as an answer to every improper part of it, tell us that every thing is to be done by our own representatives, who are to be good men. There is no security that they will be so, or continue to be so. Should they be virtuous when elected, the laws of Congress will be unalterable. These laws must be annihilated by the same body which made them. It appears to me that the laws which they make cannot be altered without calling a convention. . . .

[July 30.] Gov. JOHNSTON expressed great astonishment that the people were alarmed on the subject of religion. . . .

Mr. CALDWELL thought that some danger might arise. He imagined it might be objected to in a political as well as in a religious view. In the first place, he said, there was an invitation for Jews and pagans of every kind to come among us. At some future period, said he, this might endanger the character of the United States. Moreover, even those who do not regard religion, acknowledge that the Christian religion is best calculated, of all religions, to make good members of society, on account of its morality. I think, then, added he, that, in a political view, those gentlemen who formed this Constitution should not have given this invitation to Jews and heathens. All those who have any religion are against the emigration of those people from the eastern hemisphere.

Jonathan Elliot, editor, *Debates on the Adoption of the Federal Constitution* (Philadelphia, etc., 1861), IV, 15–199 *passim*.

CHAPTER XII — FRAMING A GOVERNMENT

76. Hopes as to the Public Credit (1787–1790)

BY POSTMASTER JEREMIAH LIBBEY AND SENATOR PAINE WINGATE

Libbey was postmaster at Portsmouth, a position which in those days gave many advantages for obtaining the news. Wingate served as United States senator from New Hampshire during the first four years of the new government. Later he was a member of the House of Representatives. Both letters were addressed to Jeremy Belknap, the historian. — Bibliography: Channing and Hart, *Guide*, § 158.—For the condition of the public credit during the Confederation, see ch. vi above.

A. FROM JEREMIAH LIBBEY

PORTSMOUTH, October 24th, 1787.

. . . THE Constitution as far as I have had oppertunity of hearing is very generally liked in this State. How some of our leading men in the State (not in this town) approve of it I have not heard. Our Court was adjourned to next January; but many persons in this town have expected the President would call them together immediately on the occasion. However no proclamation appears for that purpose, which makes some rather severe on the P.; but I have never heard how he likes it. On the whole, I am of opinion it will be adopted by this State. I was a few days past talking with Major Hale on the subject. He says he likes it much, but our General Court will never come into it. I ask'd him the reason. "Pho," says he, "do you know, if they adopt it, it will make them honest, & put it out of their power to cheat every body by tender laws & paper money. No, no, that will never do." Pretty severe, I think. It is now very certain that we shall not take up the matter untill you have acted on it; & if you do right, I hope we shall follow your example. If, on the contrary, I hope we shall have wisdom & fortitude to act in a becoming manner, & not let any of your bad conduct, *if you have any*, influence us to follow your examples in that respect.

Mr Wendell informs me that Continental security[s] were sold last

week for 2/6 on the £, with interest due on them. How they will sell now he does not know. He says he purchases State notes for 3/ on the £, with interest due on them, & pays for them in anything he has. I have done by yours as I should with my own; let it lay, thinking it better than to dispose of it at that rate. Should the new Constitution take place, & that it will I feel quite sanguine, as you observe, our national character will then rise, & the securitys of course. . . .

B. FROM PAINE WINGATE

New York, Jan. 18, 1790.

. . . WITH respect to public securities I will gladly give you any intelligence in my power . . . but I can say nothing at present but mere conjecture. Those securities have not sold for less than 8/3^{d} on the pound in New York since I came here; and I am told that now they are sold from 9/ to 10/, and that the indents are about 7/. The Secretary of the Treasury has reported a part of his plan of finance, that the domestic debt should be funded anew to voluntary subscribers at 4 p^{r} cent interest & include equally both principle & interest. This it is supposed would appreciate the securities considerably. I think it is doubtful whether the interest will be more than 3 p^{r} cent, but a certain revenue will be appropriated for the punctual payment of whatever shall be promised. At this rate of interest, it is the opinion of those who are good judges that the securities will sell for about ten shillings on the pound. I believe that there is no great danger of their being much lower, & they may possibly be something higher. It will be yet a considerable time before this business will be compleated in Congress respecting the new funds, & in the mean time there will be various arts of speculators practiced on one another, as well as on the less knowing. If I was a holder of public securities (which I am not) I should not sell until I knew more of the probable issue of the present plans; but perhaps it may be as advantag[e]ous to those who do not choose to be holders in the funds to sell soon after the funds are established as at any after time. This is only my mere opinion, in which I am as liable to be deceived as any body. I am not able to give you any tollerable account of Col^{o} Hamilton's plans, & will not attempt it. By the last of this week, it is expected, the pamphlet will be published. . . .

[February 5.] . . . Since I wrote to you last, the current price of securities has rather dwindled. I am told they now sell for about 7/6^{d}

on the pound. This may have arisen from other causes than meerly the want of confidence in the public faith. It will be a considerable time before Congress can decide on this perplexing and important business; but next Monday it will be taken up by the House of Representatives, and perhaps some conjecture may be formed from the disposition which will then appear. It appears to me that matters have gone so far wrong that it is not an easy thing to find the right way out, and that men of the most upright intentions, who would wish to unite justice with policy, may judge & act very differently. I rather think, on the whole, that the public creditors will receive as good as half the nominal value of their securities, if not more, & that there can be no discrimination between the original holders & the speculators, however deserving the one may be more than the other. Very little business has yet been compleated in Congress. We go *slow* fast enough.

The Belknap Papers (Massachusetts Historical Society, *Collections*, Sixth Series, IV, Boston, 1891), III, 341–459 *passim*.

77. Proceedings in Congress (1789–1791)

BY SENATOR WILLIAM MACLAY

Maclay was senator from Pennsylvania during the First Congress, but was not reëlected. He was no hero-worshipper, and began in the Senate the opposition to Washington and the measures of the administration. Out of this early opposition grew the Democratic party. His journal was not intended for public perusal. — Bibliography: Channing and Hart, *Guide*, § 157.

NEW YORK, 24th April, 1789. . . . Now a most curious question arose. The Vice-President knew not how to direct the letter to the Speaker. He called on the House to know how it should be directed. The House showed a manifest disinclination to interfere. The Vice-President urged, and ceased not until a question was pointedly put whether the Speaker should be styled *honorable*. It passed in the negative, and from this omen I think our Vice-President may go and dream about titles, for none will he get.

April 25th, Saturday. — Attended the House. Ceremonies, endless ceremonies, the whole business of the day. I did not embark warmly this day. Otis, our Secretary, makes a most miserable hand at it. The grossest mistakes made on our minutes, and it cost us an hour or two to

rectify them. I was up as often I believe as was necessary, and certainly threw so much light on two subjects that the debate ended on each.

The Vice-President, as usual, made us two or three speeches from the Chair. I will endeavor to recollect one of them. It was on the reading of a report which mentioned that the President should be received in the Senate chamber and proceed thence to the House of Representatives to be sworn: "Gentlemen, I do not know whether the framers of the Constitution had in view the two kings of Sparta or the two consuls of Rome when they formed it; one to have all the power while he held it, and the other to be nothing. Nor do I know whether the architect that formed our room and the wide chair in it (to hold two, I suppose) had the Constitution before him. Gentlemen, I feel great difficulty how to act. I am possessed of two separate powers; the one in *esse* and the other in *posse*. I am Vice-President. In this I am nothing, but I may be everything. But I am president also of the Senate. When the President comes into the Senate, what shall I be? I can not be [president] then. No, gentlemen, I can not, I can not. I wish gentlemen to think what I shall be."

Here, as if oppressed with a sense of his distressed situation, he threw himself back in his chair. A solemn silence ensued. God forgive me, for it was involuntary, but the profane muscles of my face were in tune for laughter in spite of my indisposition. Elsworth thumbed over the sheet Constitution and turned it for some time. At length he rose and addressed the Chair with the utmost gravity: "Mr. President, I have looked over the Constitution (pause), and I find, sir, it is evident and clear, sir, that wherever the Senate are to be, there, sir, you must be at the head of them. But further, sir (here he looked aghast, as if some tremendous gulf had yawned before him), I shall not pretend to say." . . .

May 5th. — The bill of yesterday [prescribing the oath] had a third reading, but now how is it to be sent to the other House? A motion was made and seconded that it go by the Secretary. From half after eleven to half after one was this important question agitated. The other House had affronted the Senate by sending up the bill in a letter, and now we would not send it down by a member. The dignity of the House was much insisted on. We were plagued again with the House of Lords and Commons, and "parliamentary" was the supplementary word to every sentence. I doubted much whether I should rise or not; however, when everybody else had something to say, I scorned to be silent. I remarked that I rose with reluctance on a subject when I had

not been able to draw any information from experience, as the State I had the honor of representing had but one House; yet from what I could learn the States which had two Houses in the Union carried on their communications by members; that this I considered as the most cordial and friendly mode of intercourse, and that I would much rather take example from our own States than from Great Britain; that this intercourse, therefore, was the one which I most sincerely wished, and thought the sooner it was adopted the better; that if our members should be ill-treated below, as had been alleged by some gentlemen, the fault would not be ours, and then we would be fully justified in adopting some other mode; that a communication by our Secretary was a bad one; that it interrupted business, as we could not proceed without him. If we meant it by way of returning the affront that had been offered to us, this was wrong. We should send the bill by letter, and this would be treating them in kind.

I was answered, or at least an attempt was made, but I was not convinced. Mr. Langdon got up soon after, and seemed to adopt all I had said, but the motion was carried against us. . . .

[June 17.] In now came Mr. Jay to give information respecting Mr. Short, who was nominated to supply the place of Mr. Jefferson at the court of France while Mr. Jefferson returned home. And now the Vice-President rose to give us a discourse on the subject of form; how we should give our *advice* and *consent*. I rose, perhaps more early than might have been wished by some, and stated that this business was in the nature of an election; that the spirit of the Constitution was clearly in favor of ballot; that this mode could be applied without difficulty; that, when the person was put up in nomination, the favorable tickets should have a yea and the others should be blanks. . . .

. . . Every Senator when voting openly would feel inconvenience from two quarters, or at least he was subjected to it. I would not say, in European language, that there would be court favor and court resentment, but there would be about the President a kind of sunshine that people in general would be well pleased to enjoy the warmth of. Openly voting against the nominations of the President would be the sure mode of losing this sunshine. This was applicable to all Senators in all cases. But there was more. A Senator, like another man, would have the interests of his friends to promote. The cause of a son or brother might be lodged in his hands. Will such a one, in such a case, wish openly to oppose the President's judgment?

But there are other inconveniences. The disappointed candidate will retaliate the injury which he feels against the Senator. It may be said the Senator's station will protect him. This can only extend to the time of his being in office, and he, too, must return to private life, where, as a private man, he must answer for the offenses given by the Senator. . . .

June 18th. — And now the mode of approving or disapproving of the nomination. I did not minute it yesterday, but our Vice-President rose in the chair and delivered his opinion how the business ought to be done. He read the Constitution, argued, and concluded: "I would rise in the chair, and put the question individually to the Senators: Do you advise and consent that Mr. Short be appointed *chargé d'affaires* at the court of France? Do you and do you?" Mr. Carrol spoke long for the *viva voce* mode. He said the ballot was productive of cabelling and bargaining for votes. . . . The question was at last taken, and carried by eleven votes, seven against it. . . .

[August 25.] Now came the Compensation bill. I moved the wages to be five dollars per day. I was seconded by Elmer; but on the question only he, Wyngate, and myself rose. Mr. Morris almost raged, and in his reply to me said he cared not for the arts people used to ingratiate themselves with the public. In reply I answered that I had avowed all my motives. I knew the public mind was discontented.' I thought it our duty to attend to the voice of the public. I had been informed that the average of the wages of the old members of Congress was a little better than five dollars per diem. I wished to establish this as a principle. I would then have data to fix a price on, as the old wages were never complained of. Morris, Izard, and Butler were in a violent chaff. Mr. Morris moved that the pay of the Senators should be eight dollars per day.

Up now rose Izard; said that the members of the Senate went to boarding-houses, lodged in holes and corners, associated with improper company, and conversed improperly, so as to lower their dignity and character; that the delegates from South Carolina used to have £600 per year, and could live like gentlemen, etc. Butler rose; said a great deal of stuff of the same kind; that a member of the Senate should not only have a handsome income, but should spend it all. He was happy enough to look down on these things; he could despise them, but it was scandalous for a member of Congress to take any of his wages home; he should rather give it to the poor, etc. Mr. Morris likewise paid himself some compliments on his manner and conduct in life, his disregard

of money, and the little respect he paid to the common opinions of people. Mr. King got up, said the matter seemed of a delicate nature, and moved for a committee to whom the bill might be referred. This obtained, and a committee of five were appointed. By the complexion of the committee it would seem the Senate want their wages enlarged. I answered Mr. Morris in a way that gave him a bone to chaw, but I believe it is as well forgot. . . .

March 3d [1791]. — As well might I write the rambles of Harlequin Ranger or the vagaries of a pantomime as to attempt to minute the business of this morning. What with the exits and the entrances of our Otis, the announcings, the advancings, speechings, drawings, and withdrawings of Buckley and Lear, and the comings and goings of our committee of enrollment, etc., and the consequent running of doorkeepers, opening and slamming of doors, the House seemed in a continual hurricane. Speaking would have been idle, for nobody would or could hear. Had all the business been previously digested, matter or form would have been of little consequence. This, however, was not the case. It was patching, piecing, altering, and amending, and even originating new business. It was, however, only for Elsworth, King, or some of Hamilton's people to rise, and the thing was generally done. But they had overshot themselves; for, owing to little unforeseen impediments, there was no possibility of working all through, and there was to be a great dinner which must absolutely be attended to. Terrible, indeed, but no alternative — the House must meet at six o'clock.

In the evening by candle-light. When I saw the merry mood in which the Senate assembled, I was ready to laugh. When I considered the occasion, I was almost disposed to give way to a very different emotion. I did, however, neither the one nor the other; and, feeling myself of as little importance as I had ever done in my life, I took pen and paper and determined, if possible, to keep pace with the hurry of business as it passed, which I expected would now be very rapid, as I had no doubt that Hamilton's clerks had put the last hand to everything. . . .

There now was such confusion with Otis, Buckley, Lear, our committee of enrollment, etc., that I confess I lost their arrangement. Indeed, I am apt to believe if they had any they lost it themselves. They all agreed at last that the business was done. The President left the chair, and the members scampered down-stairs. I stayed a moment to pack up my papers. Dalton alone came to me, and said he supposed

we two would not see each other soon. We exchanged wishes for mutual welfare. As I left the Hall, I gave it a look with that kind of satisfaction which a man feels on leaving a place where he has been ill at ease, being fully satisfied that many a culprit has served two years at the wheelbarrow without feeling half the pain and mortification that I experienced in my honorable station.

William Maclay, *Journal* (edited by Edgar S. Maclay, New York, 1890), 1–413 *passim*.

78. First Tariff Debate (1789)

BY MEMBERS OF THE HOUSE OF REPRESENTATIVES

Financial inadequacy of the Confederation was one of the great causes of the new Constitution; hence, as soon as the House of Representatives convened, a revenue measure providing for import duties was introduced by Madison. These duties were to be the main financial support of the new government, and the bill was primarily intended to raise revenue. In the discussions, however, the germs of most of the future tariff arguments are to be found. — Bibliography: Providence Public Library, *Monthly Reference Lists*, II, 44–45; Bowker and Iles, *Reader's Guide in Economic, Social, and Political Science*, 54–64; Channing and Hart, *Guide*, § 158. — For another discussion of the tariff question, see No. 130 below.

[April 9, 1789.] MR. HARTLEY. . . . If we consult the history of the ancient world, we shall see that they have thought proper, for a long time past, to give great encouragement to the establishment of manufactures, by laying such partial duties on the importation of foreign goods, as to give the home manufactures a considerable advantage in the price when brought to market. It is also well known to this committee, that there are many articles that will bear a higher duty than others, which are to remain in the common mass, and be taxed with a certain impost ad valorem. From this view of the subject, I think it both politic and just that the fostering hand of the General Government should extend to all those manufactures which will tend to national utility. I am therefore sorry that gentlemen seem to fix their minds to so early a period as 1783; for we very well know our circumstances are much changed since that time: we had then but few manufactures among us, and the vast quantities of goods that flowed in upon us from Europe, at the conclusion of the war, rendered those few almost useless; since then we have been forced by necessity, and various

other causes, to increase our domestic manufactures to such a degree as to be able to furnish some in sufficient quantity to answer the consumption of the whole Union, while others are daily growing into importance. Our stock of materials is, in many instances, equal to the greatest demand, and our artisans sufficient to work them up even for exportation. In these cases, I take it to be the policy of every enlightened nation to give their manufactures that degree of encouragement necessary to perfect them, without oppressing the other parts of the community; and, under this encouragement, the industry of the manufacturer will be employed to add to the wealth of the nation. . . .

Mr. MADISON. . . . I own myself the friend to a very free system of commerce, and hold it as a truth, that commercial shackles are generally unjust, oppressive, and impolitic; it is also a truth, that if industry and labor are left to take their own course, they will generally be directed to those objects which are the most productive, and this in a more certain and direct manner than the wisdom of the most enlightened Legislature could point out. Nor do I think that the national interest is more promoted by such restrictions than that the interest of individuals would be promoted by legislative interference directing the particular application of its industry. . . .

. . . I agree with the gentleman from Pennsylvania, that there are exceptions important in themselves, and which claim the particular attention of the committee. Although the freedom of commerce would be advantageous to the world, yet, in some particulars, one nation might suffer to benefit others, and this ought to be for the general good of society. . . .

Duties laid on imported articles may have an effect which comes within the idea of national prudence. It may happen that materials for manufactures may grow up without any encouragement for this purpose; it has been the case in some of the States, but in others regulations have been provided, and have succeeded in producing some establishments, which ought not to be allowed to perish, from the alteration which has taken place: it would be cruel to neglect them and divert their industry to other channels; for it is not possible for the hand of man to shift from one employment to another without being injured by the change. There may be some manufactures, which, being once formed, can advance towards perfection without any adventitious aid, while others, for want of the fostering hand of Government, will be unable to go on at all. Legislative attention will therefore be necessary to collect

the proper objects for this purpose, and this will form another exception to my general principle. . . .

The next exception that occurs, is one on which great stress is laid by some well informed men, and this with great plausibility. That each nation should have within itself the means of defence, independent of foreign supplies: that in whatever relates to the operations of war, no State ought to depend upon a precarious supply from any part of the world. There may be some truth in this remark, and therefore it is proper for legislative attention. I am, though, well persuaded that the reasoning on this subject has been carried too far. . . .

The impost laid on trade for the purpose of obtaining revenue may likewise be considered as an exception; so far, therefore, as revenue can be more conveniently and certainly raised by this than any other method, without injury to the community, and its operation will be in due proportion to the consumption, which consumption is generally proportioned to the circumstances of individuals, I think sound policy dictates to use this means; but it will be necessary to confine our attention at this time peculiarly to the object of revenue, because the other subject involves some intricate questions, to unravel which we perhaps are not prepared. . . .

[April 15.] On . . . all steel unwrought, per 112 pounds, ——. . . .

Mr. TUCKER considered the smallest tax on this article to be a burden on agriculture, which ought to be considered an interest most deserving protection and encouragement; on this is our principal reliance, on it also our safety and happiness depend. When he considered the state of it in that part of the country which he represented on this floor, and in some other parts of the Union, he was really at a loss to imagine with what propriety any gentleman could propose a measure big with oppression, and tending to burden particular States. . . . He thought an impost of five per cent. as great an encouragement as ought to be granted, and would not oppose that being laid. He called upon gentlemen to exercise liberality and moderation in what they proposed, if they wished to give satisfaction and do justice to their constituents.

Annals of Congress, 1 Cong. (Gales and Seaton, Washington, 1834,) I, 109–148 *passim*.

79. Hospitality of the Senate to President Washington (1789)

BY SENATOR WILLIAM MACLAY

Washington advised with the Senate in person, a custom which continued until Jefferson became president. The treaty with the Creeks, here mentioned, was the first connection of the general government with the notorious controversy called the Yazoo Claims. — For Maclay, see No. 77 above. — Bibliography: Channing and Hart, *Guide*, § 157.

[August 21, 1789.] NOTICE was given just before we broke up that the President would be in the Senate chamber at half after eleven to-morrow to take the advice and consent of the Senate on some matters of consequence; but nothing communicated.

August 22d, Saturday. — Senate met, and went on the Coasting bill. The doorkeeper soon told us of the arrival of the President. The President was introduced, and took our Vice-President's chair. He rose and told us bluntly that he had called on us for our advice and consent to some propositions respecting the treaty to be held with the Southern Indians. Said he had brought General Knox with him, who was well acquainted with the business. He then turned to General Knox, who was seated on the left of the chair. General Knox handed him a paper, which he handed to the President of the Senate, who was seated on a chair on the floor to his right. Our Vice-President hurried over the paper. Carriages were driving past, and such a noise, I could tell it was something about "Indians," but was not master of one sentence of it. Signs were made to the doorkeeper to shut down the sashes. Seven heads, as we have since learned, were stated at the end of the paper which the Senate were to give their advice and consent to. They were so framed that this could not be done by aye or no.

The President told us that a paper from an agent of the Cherokees was given to him just as he was coming to the Hall. He motioned to General Knox for it, and handed it to the President of the Senate. It was read. It complained hard of the unjust treatment of the people of North Carolina, etc., their violation of treaties, etc. Our Vice-President now read off the first article, to which our advice and consent were requested. It referred back principally to some statements in the body of the writing which had been read.

Mr. Morris rose. Said the noise of carriages had been so great that he really could not say that he had heard the body of the paper which had been read, and prayed that it might be read again. It was so [read]. It was no sooner read than our Vice-President immediately read the first head over again, and put the question: Do you advise and consent, etc.? There was a dead pause. Mr. Morris whispered me, "We will see who will venture to break silence first." Our Vice-President was proceeding, "As many as —"

I rose reluctantly, indeed, and, from the length of the pause, the hint given by Mr. Morris, and the proceeding of our Vice-President, it appeared to me that if I did not no other one would, and we should have these advices and consents ravished, in a degree, from us.

Mr. President: The paper which you have now read to us appears to have for its basis sundry treaties and public transactions between the Southern Indians and the United States and the States of Georgia, North Carolina, and South Carolina. The business is new to the Senate. It is of importance. It is our duty to inform ourselves as well as possible on the subject. I therefore call for the reading of the treaties and other documents alluded to in the paper before us.

I cast an eye at the President of the United States. I saw he wore an aspect of stern displeasure. General Knox turned up some of the acts of Congress and the protest of one Blount, agent for North Carolina. Mr. Lee rose and named a particular treaty which he wished read. The business labored with the Senate. There appeared an evident reluctance to proceed. The first article was about the Cherokees. It was hinted that the person just come from there might have more information. The President of the United States rose; said he had no objection to that article being postponed, and in the mean time he would see the messenger.

The second article, which was about the Chickasaws and Choctaws, was likewise postponed. The third article more immediately concerned Georgia and the Creeks. Mr. Gunn, from Georgia, moved that this be postponed till Monday. He was seconded by Mr. Few. General Knox was asked when General Lincoln would be here on his way to Georgia. He answered *not till Saturday next.* The whole House seemed against Gunn and Few. I rose and said, when I considered the newness and importance of the subject, that one article had already been postponed; that General Lincoln, the first named of the commissioners, would not be here for a week; the deep interest Georgia had in this affair — I

could not think it improper that the Senators from that State should be indulged in a postponement until Monday; and more especially as I had not heard any inconvenience pointed out that could possibly flow from it.

The question was put and actually carried; but Elsworth immediately began a long discourse on the merits of the business. He was answered by Lee, who appealed to the Constitution with regard to the power of making war. Butler and Izard answered, and Mr. Morris at last informed the disputants that they were debating on a subject that was actually postponed. Mr. Adams denied, in the face of the House, that it had been postponed. This very trick had been played by him and his New England men more than once. The question was, however, put a second time and carried.

I had at an early stage of the business whispered Mr. Morris that I thought the best way to conduct the business was to have all the papers committed. My reasons were, that I saw no chance of a fair investigation of subjects while the President of the United States sat there, with his Secretary of War, to support his opinions and overawe the timid and neutral part of the Senate. Mr. Morris hastily rose and moved that the papers communicated to the Senate by the President of the United States should be referred to a committee of five, to report as soon as might be on them. He was seconded by Mr. Gunn. Several members grumbled some objections. Mr. Butler rose; made a lengthy speech against commitment; said we were acting as a council. No council ever committed anything. Committees were an improper mode of doing business; it threw business out of the hands of the many into the hands of the few, etc.

I rose and supported the mode of doing business by committees; that committees were used in all public deliberative bodies, etc. I thought I did the subject justice, but concluded the commitment can not be attended with any possible inconvenience. Some articles are already postponed until Monday. Whoever the committee are, if committed, they must make their report on Monday morning. I spoke through the whole in a low tone of voice. Peevishness itself, I think, could not have taken offense at anything I said.

As I sat down, the President of the United States started up in a violent fret. "*This defeats every purpose of my coming here*," were the first words that he said. He then went on that he had brought his Secretary of War with him to give every necessary information; that the Secretary

knew all about the business, and yet he was delayed and could not go on with the matter. He cooled, however, by degrees. Said he had no objection to putting off this matter until Monday, but declared he did not understand the matter of commitment. He might be delayed; he could not tell how long. He rose a second time, and said he had no objection to postponement until Monday at ten o'clock. By the looks of the Senate this seemed agreed to. A pause for some time ensued. We waited for him to withdraw. He did so with a discontented air. Had it been any other man than the man whom I wish to regard as the first character in the world, I would have said, with sullen dignity.

I can not now be mistaken. The President wishes to tread on the necks of the Senate. Commitment will bring the matter to discussion, at least in the committee, where he is not present. He wishes us to see with the eyes and hear with the ears of his Secretary only. The Secretary to advance the premises, the President to draw the conclusions, and to bear down our deliberations with his personal authority and presence. Form only will be left to us. This will not do with Americans. But let the matter work; it will soon cure itself.

August 24th, Monday. — The Senate met. The President of the United States soon took his seat, and the business began. The President wore a different aspect from what he did Saturday. He was placid and serene, and manifested a spirit of accommodation; declared his consent that his questions should be amended. A tedious debate took place on the third article. I was called on by Mr. Lee, of Virginia, to state something respecting the treaty held by Pennsylvania. This brought me up. I did not speak long, but endeavored to be as pointed as possible. The third article consisted of two questions. The first I was for. I disliked the second, but both were carried. The fourth article consisted of sundry questions. I moved pointedly for a division. Got it. Voted for the first and opposed the second part. A long debate ensued, which was likely to end only in words. I moved to have the words "in failure thereof by the United States" struck out, and, although Elsworth, Wyngate, and Dalton had spoken on the same side with me, yet I was not seconded. My colleague had in private declared himself of my opinion also. It was an engagement that the United States would pay the stipulated purchase money for Georgia in case Georgia did not. The arguments I used on this subject were so plain I need not set them down. Yet a shamefacedness, or I know not what, flowing from the presence of the President, kept everybody silent.

The next clause was for a free port on the Altamaha or Saint Mary's River. This produced some debate, and the President proposed "secure" port in place of "free" port. Agreed to. Now followed something of giving the Indians commissions on their taking the oaths to Government. It was a silly affair, but it was carried without any debate. Now followed a clause whether the cession of lands should be made an ultimatum with the Creeks. There was an alternative in case should this be negatived; but, strange to tell, the Senate negatived both, when it was plain one only should have been so. A boundary was named by a following clause which the commissioners were to adhere to. Money and honorary commissions were to be given to the Indians. The old treaties with the Creeks, Choctaws, and Chickasaws were made the basis of future treaty, though none of them were read to us nor a single principle of them explained (but it was late). The twenty thousand dollars applied to this treaty, if necessary. This closed the business. The President of the United States withdrew, and the Senate adjourned.

William Maclay, *Journal* (edited by Edgar S. Maclay, New York, 1890), 128–132.

80. The Seat of Government (1789)

BY MEMBERS OF THE HOUSE OF REPRESENTATIVES

Sectional jealousy very early displayed itself in Congress, and was especially evident in the debates on the location of the permanent seat of government. The matter was finally compromised through the influence of Jefferson and Hamilton: the northern members yielded to the southern site for the capital, and the opponents of the assumption of state debts gave way on that measure. — Bibliography: Winsor, *Narrative and Critical History*, VII, 330; Channing and Hart, *Guide*, § 158.

[August 27, 1789.] MR. SCOTT, agreeably to notice given, moved the following:

"That a permanent residence ought to be fixed for the General Government of the United States, at some convenient place as near the centre of wealth, population, and extent of territory, as may be consistent with convenience to the navigation of the Atlantic ocean, and having due regard to the particular situation of the Western country." . . .

[September 3.] Mr. GOODHUE. . . . The Eastern members, with the members from New York, have agreed to fix a place upon national principles, without a regard to their own convenience, and have turned

their minds to the banks of the Susquehanna. This is a situation as nearly central as could be devised, upon some of the principles contained in the resolution. It is, however, supposed to be considerably to the southward of the centre of the population. Motives of convenience would have led us to fix upon the banks of the Delaware, but it was supposed it would give more lasting content to go further south. They were, therefore, unitedly of opinion, that the banks of the river Susquehanna should be the place of the permanent residence of the General Government . . .

Mr. HARTLEY. . . . Many persons wish it seated on the banks of the Delaware, many on the banks of the Potomac. I consider this as the middle ground between the two extremes. It will suit the inhabitants to the north better than the Potomac could, and the inhabitants to the south better than Delaware would. From this consideration, I am induced to believe, it will be a situation more accommodating and agreeable than any other. Respecting its communication with the Western Territory, no doubt but the Susquehanna will facilitate that object with considerable ease and great advantage; and as to its convenience to the navigation of the Atlantic ocean, the distance is nothing more than to afford safety from any hostile attempt, while it affords a short and easy communication with navigable rivers and large commercial towns. . . .

Mr. LEE. . . . The question is to be settled which must determine, whether this Government is to exist for ages, or be dispersed among contending winds. Will gentlemen say these principles ought not to be recognised? Will gentlemen say, that the centre of Government should not be the centre of the Union? Shall it not be a situation which will admit of an easy communication to the ocean? Will they say, that our Western brethren are to be disregarded? These are the momentous considerations which should lead the House to a conclusion. If they are disregarded, it will be an alarming circumstance to the people of the Southern States. They have felt these alarms already. It was with difficulty, on another occasion, that their apprehensions on this score were quieted, and their difficulties surmounted. If this question is decided, without regarding these interests, it will be said, that a Congress is found, who are not disposed to recognise the general principles of the Government. . . .

The question on Mr. SCOTT'S motion was then taken, and adopted. Yeas 32, Nays 18. . . .

Mr. Lee hoped that gentlemen would show how the banks of the Susquehanna conformed with the principles laid down in the resolution adopted by the House; how it communicated with the navigation of the Atlantic, and how it was connected with the Western Territory. He hoped they would point out its other advantages, respecting salubrity of air and fertility of soil. . . .

Mr. Jackson. . . . I am sorry that the people should learn that this matter has been precipitated; that they should learn, that the members from New England and New York had fixed on a seat of Government for the United States. This is not proper language to go out to freemen. Jealousies have already gone abroad. This language will blow the coals of sedition, and endanger the Union. I would ask, if the other members of the Union are not also to be consulted? Are the Eastern members to dictate in this business, and fix the seat of Government of the United States? Why not also fix the principles of Government? Why not come forward, and demand of us the power of Legislation, and say, give us up your privileges, and we will govern you? If one part has the power to fix the seat of Government, they may as well take the Government from the other. This looks like aristocracy: not the united, but the partial voice of America is to decide. How can gentlemen answer for this, who call themselves representatives, on the broad basis of national interest?

I deny the fact of the territorial centrality of the place proposed. From New York, to the nearest part of the Province of Maine, it is two hundred and fifty miles; and from New York, to the nearest part of the upper district of Georgia, from which my colleague (General Matthews) comes, is eleven hundred miles; and from the proposed place on the Susquehanna, it is four hundred miles to the nearest part of Maine, and nine hundred to the nearest part of that district; the proportion is more than two to one. But the gentlemen should have an eye to the population of Georgia; one of the finest countries in the world cannot but rapidly extend her population: nothing but her being harassed by the inroads of savages has checked her amazing increase, which must, under the auspices of peace and safety, people her western regions. Georgia will soon be as populous as any State in the Union. Calculations ought not to be made on its present situation.

North Carolina is not yet in the Union, and perhaps the place may give umbrage to her, which ought, at this moment, to be cautiously avoided. I should, therefore, think it most advisable to postpone the

decision for this session, at least. But, if we are to decide, I own, I think the Potomac a better situation than the Susquehanna . . .

Mr. SEDGWICK. . . . The Susquehanna is, in my opinion, southwest of the centre of wealth, population, and resources of every kind. . . .

I would ask, if it is of no importance to take a position in which the credit of the Government may procure those supplies that its necessities might require? Will the strength and riches of the country be to the north or to the south of the Susquehanna? Certainly to the north.

It is the opinion of all the Eastern States, that the climate of the Potomac is not only unhealthy, but destructive to northern constitutions. It is of importance to attend to this, for whether it be true or false, such is the public prepossessions. Vast numbers of Eastern adventurers have gone to the Southern States, and all have found their graves there; they have met destruction as soon as they arrived. These accounts have been spread, and filled the Northern people with apprehension. . . .

Mr. VINING. — Although I must acknowledge myself a party to the bargain, yet I had no share in making it. It is to me an unexpected bargain. Though the interest of the State which I have the honor to represent is involved in it, I am yet to learn of the committee, whether Congress are to tickle the trout on the stream of the Codorus, to build their sumptuous palaces on the banks of the Potomac, or to admire commerce with her expanded wings, on the waters of the Delaware. I have, on this occasion, educated my mind to impartiality, and have endeavored to chastise its prejudices.

I confess to the House, and to the world, that, viewing this subject, with all its circumstances, I am in favor of the Potomac. I wish the seat of Government to be fixed there; because I think the interest, the honor, and the greatness of this country require it. I look on it as the centre from which those streams are to flow that are to animate and invigorate the body politic. From thence, it appears to me, the rays of Government will most naturally diverge to the extremities of the Union. I declare that I look on the Western Territory in an awful and striking point of view. To that region the unpolished sons of earth are flowing from all quarters. Men, to whom the protection of the laws, and the controlling force of the Government, are equally necessary; from this great consideration, I conclude that the banks of the Potomac are the proper station.

Annals of Congress, 1 Cong. (Gales and Seaton, Washington, 1834), I, 786–848 *passim*.

81. Why We ought to be Appointed (1789–1790)

BY VARIOUS OFFICE-SEEKERS

Not only was it necessary to fill all the offices, but there was scarcely any precedent which Washington could use in performing the task. Applications for office were based upon the fitness of the candidate to perform the office, upon military service, former service in the same office under some state government, pecuniary need, or political affiliation. The last consideration seems to have played little part in appointments, except in Rhode Island. — Bibliography: Lucy M. Salmon, *Appointing Power of the President*, 24–27, 125–129 (American Historical Association, *Papers*, I, 314–317, 415–419); Channing and Hart, *Guide*, § 157.

Sir BELMONT, August 2, 1790.

AVERSE as I am from a Desire to trouble you on such Subjects my Anxiety on Account of the Situation in which a worthy Character is unfortunately placed has induced me to take the Liberty of mentioning to you the unhappy Predicament in which General Wayne stands — As Matters have turned out he was cursed with a Present from the State of Georgia of a Rice Plantation which they gave him with very laudable Intentions. Before he began to improve this Property he was possessed of a handsome Fortune which from a too eager Desire to encrease it he has totally destroyed. Yet he has been a most industrious Slave to the Persuit and cannot be accused of anything unworthy his Character. He relied upon the opinions of enthusiastic People on his first undertaking the Business and before he had gained Sufficient Experience he was irreparably ruined. I believe however he will have enough to satisfy the Demands against him but I am confident he will have Nothing left either of his patrimonial Estate or the pecuniary Rewards for his military Services. In short he will be in Want.

I have seen a Plan of a federal Land office. The Place of all others I think him most capable of executing is that of Surveyor General. I know he is an excellent Draftsman and has a Genius for this Business in which he has been practically employed. Should you Sir think proper to give him that Appointment I am convinced he will do Justice to your Choice. But if in your better Judgment you have any other in View I shall be happy in the Endeavor to serve a worthy Man whose Situation I most sincerely lament. I have not been sollicited by him to give you this Trouble and hope the Goodness of my Intentions will induce you to Excuse the Liberty I have taken. . . .

Your most obed Serv[t]

RICHARD PETERS. . . .

CHARLESTON, S^o CAROLINA, 31^st March, 1789—

Although it may appear a degree of presumption in me to address your Excellency, yet were I to neglect it, it might be deemed a fault, the occasion I trust will plead my excuse — The enclosed Letters will explain the motive, which I hope backed by the opinion of The Senators from this State, will have some weight in continuing me in the Office of Collector for this Port under the new Government, which Office I have held for the State since the Revolution — should any other Candidates of superior abilities offer for the Office, I must rest satisfied, and rejoice that such are to be found, but should your Excellency and the Senate think me sufficiently qualified my unremitted attention shall be used in the faithful discharge of it. . . .

GEO: ABBOTT HALL. . . .

Sir:

Permit me among the multitude who rejoice at your appointment, to congratulate you, as president of the United States of America, and to assure your Excellency that I enjoy an heart felt satisfaction at any event tending to promote your happiness or exaltation. May I hope you have some recollection of one who had the honor of being known to you some years back at Paramus New Jersey? I have indeed no claim to your particular attention — but presume on your distinguished humanity, and benevolence to distress. The late American war has in its consequence proved ruinous to my family, darkened my prospects of providing for my fatherless Children, and marked me the Child of misfortune! My second son Charles aged twenty one years, a youth of spirit, sobriety and honesty, writes a legible hand, and good accountant, qualified for a Clerk in an office — or in the military line being acquainted with Tacticks, I am destitute of the requisite to push him forward in life and humbly request that in the arraingnment of appointments your Excellency would cast a thought on him, which would relieve my anxious breast, and confer a lasting obligation on a Lad of good morals and Character who looks up to you. I should be at a loss how to apologize for my addressing you on this occasion — were I not convinced of your great sensibility and inclination to do good. for this purpose may your valuable life be long preserved, and the choistest gifts of heaven be your reward.

Prays your Excellencys petitioner and
Most Obedient respectful Humble servant

NEW YORK May 5^th 1789. Broad Way N^o 10 . . . LYDIA WATKINS.

Sir:

NEWPORT, May 24th 1790.

In all the vicissitudes of time, and changes of sentiments that have taken place in the United States, I have uniformly believed that the most essential happiness of our country, ultimately depended, upon the establishment of an efficient executive power, under one federal head; being the only means, to obtain that tone to government necessary, to answer the ends of its situation; the securing the general peace, promoting the general interests, — establishing the National character and rendering the Union indissolubly permanent — A power to control the selfish interests of a Single State, and to compel the sacrifice of partial views to promote the common weal.

A government thus calculated to cultivate the principles of universal Justice, probity and honour, must be the source of national strength, as well as happiness to mankind — However I have been uniformly Actuated by these principles, the ill directed zeal of the majority of the people of this state counteracting these principles, and my consciousness of possessing the general confidence, hath hitherto led me to a degree of caution in my conduct and open declaration on the score of political concerns; expecting to effect more from my moderation and influence in public character, than by a conduct more explicit and pointed; which is fully evinced by what has taken place in consequence of my act in the appointment of a convention to adopt the constitution; which depended solely on me; and such was the caprice of the people, that all public confidence was withdrawn from me, and was deprived of every public trust and emolument. — This was a voluntary sacrifice, the event being well known, and comparatively a small one when Just anticipations pourtray to me the great, the general advantages arising from a Completion of the union of the States (for have no doubt of the adoption) but altho personal sacrifices for the general good have been long familiar to me, (and if you have any knowledge of my property or character you must be conscious they have been many and weighty) they are more easily supported by the hope of compensation — and when I reflect upon your friendship, generosity and goodness, with how much it will be in your power to gratifie me, you will give me leave to anticipate your influence and appointment to the office of collector for the district of Newport — your Excellency's attention to me in this shall be ever had in lasting remembrance.

Your goodness will forgive the trouble given you, by an application

from him, who will obey your commands with chearfulness and alacrity — and honour you without flattery . . .

JOHN COLLINS.

Gaillard Hunt, *Office-Seeking during Washington's Administration*, in *American Historical Review* (New York, etc., 1896), I, 276–280 *passim*.

82. Report on a National Bank (1790)

BY SECRETARY ALEXANDER HAMILTON

Hamilton's state papers are the measure by which the value of all subsequent efforts on the same subject is estimated. The law establishing the bank did not differ from Hamilton's plan in any essentials, except that the life of the bank was limited to twenty years. — For Hamilton, see No. 54 above. — Bibliography: Bowker and Iles, *Reader's Guide in Economic, Social, and Political Science*, 35–37, 40–41; Channing and Hart, *Guide*, § 158.

THE establishment of banks in this country seems to be recommended by reasons of a peculiar nature. Previously to the revolution, circulation was in a great measure carried on by paper emitted by the several local governments. . . . This auxiliary may be said to be now at an end. And it is generally supposed, that there has been for some time past, a deficiency of circulating medium. . . .

If the supposition of such a deficiency be in any degree founded, and some aid to circulation be desirable, it remains to inquire what ought to be the nature of that aid.

The emitting of paper money by the authority of government, is wisely prohibited to the individual states, by the national constitution; and the spirit of that prohibition ought not be disregarded by the government of the United States. . . .

Among other material differences between a paper currency, issued by the mere authority of government, and one issued by a bank, payable in coin, is this: that in the first case, there is no standard to which an appeal can be made, as to the quantity which will only satisfy, or which will surcharge the circulation; in the last, that standard results from the demand. If more should be issued than is necessary, it will return upon the bank. Its emissions . . . must always be in a compound ratio to the fund and the demand: — Whence it is evident, that there is a limitation in the nature of the thing; while the discretion of the government is the only measure of the extent of the emissions, by its own authority. . . .

The payment of the interest of the public debt, at thirteen different places, is a weighty reason, peculiar to our immediate situation, for desiring a bank circulation. Without a paper, in general currency, equivalent to gold and silver, a considerable proportion of the specie of the country must always be suspended from circulation, and left to accumulate, preparatorily to each day of payment; and as often as one approaches, there must in several cases be an actual transportation of the metals at both expense and risk, from their natural and proper reservoirs, to distant places. . . .

Assuming it then as a consequence, from what has been said, that a national bank is a desirable institution, two inquiries emerge — Is there no such institution, already in being, which has a claim to that character, and which supersedes the propriety or necessity of another? If there be none, what are the principles upon which one ought to be established?

There are at present three banks in the United States: that of North-America, established in the city of Philadelphia; that of New-York, established in the city of New-York; that of Massachusetts, established in the town of Boston. Of these three, the first is the only one which has at any time had a direct relation to the government of the United States. . . .

The directors of this bank, on behalf of their constituents, have since *accepted* and *acted* under a new charter from the state of Pennsylvania, materially variant from their original one; and which so narrows the foundation of the institution, as to render it an incompetent basis for the extensive purposes of a national bank. . . .

The order of the subject, leads next to the inquiry into the principles upon which a national bank ought to be organized.

The situation of the United States naturally inspires a wish, that the form of the institution could admit of a plurality of branches. But various considerations discourage from pursuing this idea. . . .

Another wish, dictated by the particular situation of the country, is, that the bank could be so constituted as to be made an immediate instrument of loans to the proprietors of land; but this wish also yields to the difficulty of accomplishing it. Land is alone an unfit fund for a bank circulation. If the notes issued upon it were not to be payable in coin, on demand, or at a short date, this would amount to nothing more than a repetition of the paper emissions, which are now exploded by the general voice. If the notes are to be payable in coin, the land must first be converted into it, by sale or mortgage. The difficulty of effecting the

latter, is the very thing which begets the desire of finding another resource; and the former would not be practicable on a sudden emergency, but with sacrifices which would make the cure worse than the disease. Neither is the idea of constituting the fund partly of coin and partly of land, free from impediments. These two species of property do not, for the most part, unite in the same hands. . . .

Considerations of public advantage suggest a further wish, which is, that the bank could be established upon principles that would cause the profits of it to redound to the immediate benefit of the state. This is contemplated by many who speak of a national bank, but the idea seems liable to insuperable objections. To attach full confidence to an institution of this nature, it appears to be an essential ingredient in its structure, that it shall be under a *private*, not a *public* direction, under the guidance of *individual interest*, not of *public policy*; which would be supposed to be, and in certain emergencies, under a feeble or too sanguine administration, would really be, liable to being too much influenced by *public necessity*. The suspicion of this would most probably be a canker that would continually corrode the vitals of the credit of the bank, and would be most likely to prove fatal in those situations in which the public good would require that they should be most sound and vigorous. It would, indeed, be little less than a miracle, should the credit of the bank be at the disposal of the government, if in a long series of time, there was not experienced a calamitous abuse of it. . . .

As far as may concern the aid of the bank, within the proper limits, a good government has nothing more to wish for, than it will always possess; though the management be in the hands of private individuals. As the institution, if rightly constituted, must depend for its renovation from time to time on the pleasure of the government, it will not be likely to feel a disposition to render itself by its conduct unworthy of public patronage. The government, too, in the administration of its finances, has it in its power to reciprocate benefits to the bank, of not less importance than those which the bank affords to the government, and which, besides, are never unattended with an immediate and adequate compensation. . . .

It will not follow, from what has been said, that the state may not be the holder of a part of the stock of a bank, and consequently a sharer in the profits of it. It will only follow, that it ought not to desire any participation in the direction of it, and therefore, ought not to own the whole or a principal part of the stock . . .

There is one thing, however, which the government owes to itself and to the community; at least to all that part of it, who are not stockholders; which is to reserve to itself a right of ascertaining, as often as may be necessary, the state of the bank, excluding, however, all pretension to control. . . .

Abandoning, therefore, ideas which, however agreeable or desirable, are neither practicable nor safe; the following plan for the constitution of a National Bank, is respectfully submitted to the consideration of the house.

I. The capital stock of the bank shall not exceed ten millions of dollars, divided into twenty-five thousand shares, each share being four hundred dollars . . . Bodies politic, as well as individuals, may subscribe.

II. The amount of each share shall be payable, one fourth in gold and silver coin, and three fourths in that part of the public debt, which . . . shall bear an accruing interest at the time of payment of six per centum per annum. . . .

IV. The subscribers to the bank and their successors shall be incorporated, and shall so continue, until the final redemption of that part of its stock which shall consist of the public debt.

V. The capacity of the corporation to hold real and personal estate, shall be limited to fifteen millions of dollars, including the amount of its capital or original stock. . . .

VI. The totality of the debts of the company, whether by bond, bill, note, or other contract, (credits for deposits excepted,) shall never exceed the amount of its capital stock. In case of excess, the directors, under whose administration it shall happen, shall be liable for it in their private or separate capacities. Those who may have dissented, may excuse themselves from this responsibility, by immediately giving notice of the fact and their dissent, to the President of the United States, and to the stockholders, at a general meeting to be called by the president of the bank, at their request.

VII. The company may sell or demise its lands and tenements, or may sell the whole or any part of the public debt, whereof its stock shall consist; but shall *trade* in nothing, except bills of exchange, gold and silver bullion, or in the sale of goods pledged for money lent: nor shall take more than at the rate of six per centum per annum, upon its loans or discounts.

VIII. No loan shall be made by the bank, for the use or on account

of the government of the United States, or of either of them, to an amount exceeding fifty thousand dollars, or of any foreign prince or state; unless previously authorized by a law of the United States. . . .

X. The affairs of the bank shall be under the management of twenty-five directors, one of whom shall be the president. . . .

XIII. None but a stockholder, being a citizen of the United States, shall be eligible as a director. . . .

XX. The bills and notes of the bank originally made payable, or which shall have become payable on demand, in gold and silver coin, shall be receivable in all payments to the United States.

XXI. The officer at the head of the treasury department of the United States, shall be furnished from time to time, as often as he may require, not exceeding once a week, with statements of the amount of the capital stock of the bank, and of the debts due to the same, of the monies deposited therein, of the notes in circulation, and of the cash in hand; and shall have a right to inspect such general accounts in the books of the bank, as shall relate to the said statements; provided that this shall not be construed to imply a right of inspecting the account of any private individual or individuals, with the bank.

XXII. No similar institution shall be established by any future act of the United States, during the continuance of the one hereby proposed to be established.

XXIII. It shall be lawful for the directors of the bank to establish offices, wheresoever they shall think fit, within the United States, for the purposes of discount and deposit only, and upon the same terms, and in the same manner, as shall be practised at the bank . . .

XXIV. And lastly. The President of the United States shall be authorized to cause a subscription to be made to the stock of the said company, on behalf of the United States, to an amount not exceeding two millions of dollars . . . borrowing of the bank an equal sum, to be applied to the purposes for which the said monies shall have been procured, reimburseable in ten years by equal annual instalments; or at any time sooner, or in any greater proportions, that the government may think fit. . . .

The combination of a portion of the public debt, in the formation of the capital, is the principal thing of which an explanation is requisite. The chief object of this is, to enable the creation of a capital sufficiently large to be the basis of an extensive circulation, and an adequate security for it. . . . But to collect such a sum in this country in gold

and silver, into one depository, may, without hesitation, be pronounced impracticable. Hence the necessity of an auxiliary, which the public debt at once presents.

This part of the fund will be always ready to come in aid of the specie. It will more and more command a ready sale; and can therefore expeditiously be turned into coin if an exigency of the bank should at any time require it. This quality of prompt convertibility into coin, renders it an equivalent for that necessary agent of bank circulation; and distinguishes it from a fund in land, of which the sale would generally be far less compendious, and at great disadvantage. . . .

The interdiction of loans on account of the United States, or of any particular state, beyond the moderate sum specified, or of any foreign power, will serve as a barrier to executive encroachments, and to combinations inauspicious to the safety, or contrary to the policy of the Union.

The limitation of the rate of interest is dictated by the consideration, that different rates prevail in different parts of the Union; and as the operations of the bank may extend through the whole, some rule seems to be necessary. . . .

The last thing which requires any explanatory remark, is, the authority proposed to be given to the President to subscribe to the amount of two millions of dollars, on account of the public. The main design of this is, to enlarge the specie fund of the bank, and to enable it to give a more early extension to its operations. Though it is proposed to borrow with one hand what is lent with the other; yet the disbursement of what is borrowed, will be progressive, and bank notes may be thrown into circulation, instead of the gold and silver. Besides, there is to be an annual reimbursement of a part of the sum borrowed, which will finally operate as an actual investment of so much specie. In addition to the inducements to this measure, which result from the general interest of the government to enlarge the sphere of the utility of the bank, there is this more particular consideration, to wit, that as far as the dividend on the stock shall exceed the interest paid on the loan, there is a positive profit.

Alexander Hamilton, *Works* (New York, 1810), I, 80–109 *passim*.

PART V

FEDERAL SUPREMACY

CHAPTER XIII — PARTIES AND PARTY LEADERS

83. Origin of Parties (1774–1783)

BY JOHN ADAMS (1812)

This letter, written long after Adams had retired from active life, was addressed to William Ketcltas, who, at the beginning of the War of 1812, had written a pamphlet called *The Crisis*. — For Adams, see No. 53 above. — Bibliography: Winsor, *Narrative and Critical History*; VII, 296–299; Alexander Johnston, *American Politics*, v–vii; Channing and Hart, *Guide*, § 160.

Quincy, 25 November, 1812.

. . . I HAVE received your polite letter of the 6th of the month and your present of the "Crisis." You will excuse a question or two. In page first, you say, "Our administrations, with the exception of Washington's, have been party administrations." On what ground do you except Washington's? If by party you mean majority, his majority was the smallest of the four in all his legislative and executive acts, though not in his election.

You say, "our divisions began with federalism and anti-federalism." Alas! they began with human nature; they have existed in America from its first plantation. In every colony, divisions always prevailed. In New York, Pennsylvania, Virginia, Massachusetts, and all the rest, a court and country party have always contended. Whig and tory disputed very sharply before the revolution, and in every step during the revolution. Every measure of Congress, from 1774 to 1787 inclusively, was disputed with acrimony, and decided by as small majorities as any question is decided in these days. We lost Canada then, as we are like to lose it now, by a similar opposition. Away, then, with your false, though popular distinctions in favor of Washington.

In page eleventh, you recommend a "constitutional rotation, to destroy the snake in the grass;" but the snake will elude your snare. Suppose your President in rotation is to be chosen for Rhode Island. There will be a federal and a republican candidate in that State. Every federalist in the nation will vote for the former, and every republican for the latter. The light troops on both sides will skirmish; the same northern and southern distinctions will still prevail; the same running and riding, the same railing and reviling, the same lying and libelling, cursing and swearing, will still continue. The same caucusing, assemblaging, and conventioning.

John Adams, *Works* (edited by Charles Francis Adams, Boston, 1856), X, 22–23.

84. "Memorial to the Sovereigns of America" (1783)

BY THOMAS POWNALL

For Pownall, see No. 26 above. Here he strikes the key-note of American policy. — Bibliography: Winsor, *Narrative and Critical History*, VII, 524; John Adams, *Works*, X *passim*. — For other discussions of the American policy, see Nos. 106, 147, 148 below.

THIS Memorial hath stated and explained the operation of the internal self working Principle, as the first cause of union in Community, which by one common energy of universal attraction creates (as in nature by natural principles) one common center, to which the several energies of each and all tend and conspire. If human nature, and a community of human beings, could be found perfect as to reason, truth, and wisdom; not to be perverted by passions; not to be seduced and corrupted by vicious affections; this attractive principle would alone be efficient to the End of union in Government. This is not the case; God hath therefore been pleased to superadd another cause, arising from the very defects and depravations of man, which operates from without. This compresses men against their repulsive fears and jealousies of each other, against the repellant temper which frauds, dissentions, violence, and attempts at domination, raise amongst them, by a still stronger compulsive power into closer contact, and mutual alliance for common defence. It is happy for a State, especially for a newly-established State, when this external cause continues to act; and acts to one and the same end in aid of the internal principle.

It is, on the other hand, an unfortunate and dangerous crisis to young and rising States, if the external compressive cause, which hath been found useful to a State, by rendering internal peace and union necessary, and hath been in that line of efficiency applied as part of the political System, ceases to act. . . . now that the *Imperium* of Great Britain resides no longer within the Empire of the United States; now that the British Nation is removed from within the Dominion of those States; now that the States dwell almost alone on their great Continent, and are absolutely the Ascendent Power there; if the true *spirit of liberty* . . . and the *genuine spirit of Government*, does not act by the internal attractive principle of Union strongly and permanently in proportion as the external compressing cause of confederation is removed, the Americans will experience the same Fate and Fortune, and be driven, by the same miseries, to the same ruinous distress which the States of Greece and the city of Rome had wretched experience of.

It is, however, peculiarly happy for the American States, whatever be the force and temper of this internal principle with them; that an external compressive cause is not wholly taken off. When they consider the difficulties which they will have to render *the line of Frontiers* between their Empire and the British Provinces in America a *line of Peace*; when they experience in fact and practice the difficulties of preserving it as such; when they speculate upon the almost numberless, and, at present, nameless, sources of dispute and contention, which may break out between them and Spain; when, in the cool hours of unimpassioned reflection, they begin to be apprized of the danger of their very Alliances; they will see that this compressive cause does not cease to act. . . . If they improve the feelings which the States will from time to time experience of danger to the interest of the General *Imperium* from external force, so as to work the impression, which fears of that external power creates, to a permanent habit of union and confederation, as a principle of their Empire, never to be remitted, diminished, or departed from for a moment, these States will derive internal Union and Stability to their Government from those very dangers, or the fears of those dangers, which threaten it. If, on the other hand, it should unfortunately become the system of their Politics, that, divided into parties, each ascendant party of the time should, by reference to, and the interposition of, those external powers, aim to strengthen *their own* interest, the state may retain its sovereign Station; but their own Rulers will scarcely be the Sovereigns: the Reason of State will be no longer its

own reason; and its Liberty will, even while it seems to act in all its forms, be bound down by the predestination of External Powers. The several States, or several Parties in the States, instead of coalescing by one uniform general attraction to the common center, will become like the blood of life in a fever, clotted into partial diseased coagulations of faction, having the most violent repulsion amongst each other. . . .

. . . This Memorial . . . will only repeat what the Memorial addressed to the Sovereigns of Europe stated as a maxim (rather a fundamental Principle) of American Politics: "That as Nature hath separated her from Europe, and hath established her alone (as a Sovereign) on a great Continent, far removed from the Old world and all its embroiled interests, that it is contrary to the nature of her existence, and consequently to her interest, that she should have any connexions of Politics with Europe other than merely commercial; that she should be a FREE PORT to all Europe at large, and in reciprocity claim a FREE MARKET in Europe; and that she should have no commercial treaties with any European Power partial to such power and exclusive to others; but that she should give and enjoy a free Navigation and an open trade with all."

Fundamental Principles similar to these, although they may not have been able to prevent her from forming some connexions, some alliances, may yet, if a system of Politics is founded on them as decided maxims of State, and invariably and uniformly pursued, preserve her from the entanglements in which she might be otherwise involved, and guard her against the dangers which the consequences of those connexions may lead to. Although a bold and daring, or a lucky stroke, may succeed for the hour or the season, or in the transient small affairs of Individuals; yet *nothing but System*, as it arises from the nature of the State, *will be efficient* to any permanent purpose . . . The conclusion upon the whole is, that, if the New Sovereign Republic of America hath the right conscious sense of *natural liberty and political Freedom*; if it is animated with, and actuated by, *the genuine Spirit of efficient Sovereignty*; if it hath had the wisdom *to harmonize itself within* according to this Spirit, and to form *a grounded and permanent System towards All without*; secured against itself, armed against the Strokes of fortune, and guarded against the malignity of Man; it is established as Nature herself, and will Command: one may not only wish, but as of Nature herself one may pronounce

ESTO PERPETUA.

T[homas] Pownall, *A Memorial addressed to the Sovereigns of America* (London, 1783), 37–52 *passim*.

85. An Opinion of Hamilton (1792)

BY SECRETARY THOMAS JEFFERSON

Jefferson was the organizer of Democratic-Republicanism, and Madison was his first lieutenant. Although Hamilton was not mentioned in this letter to Washington, he was nevertheless the man whose measures were criticised. — For Jefferson, see No. 10 above. — Bibliography: Winsor, *Narrative and Critical History*, VII, 302–303; Channing and Hart, *Guide*, § 160.

PHILADELPHIA May 23. 1792.

. . . WHEN you first mentioned to me your purpose of retiring from the government, tho' I felt all the magnitude of the event, I was in a considerable degree silent. . . . I knew we were some day to try to walk alone . . . The public mind . . . was calm & confident, and therefore in a favorable state for making the experiment. Had no change of circumstances intervened, I should not, with any hope of success, have now ventured to propose to you a change of purpose. But the public mind is no longer confident and serene; and that from causes in which you are in no ways personally mixed. . . .

It has been urged . . . that a public debt, greater than we can possibly pay before other causes of adding new debt to it will occur, has been artificially created, by adding together the whole amount of the debtor & creditor sides of accounts, instead of taking only their balances, which could have been paid off in a short time: That this accumulation of debt has taken for ever out of our power those easy sources of revenue, which, applied to the ordinary necessities and exigencies of government, would have answered them habitually, and covered us from habitual murmurings against taxes & tax-gatherers, reserving extraordinary calls, for those extraordinary occasions which would animate the people to meet them: That though the calls for money have been no greater than we must generally expect, for the same or equivalent exigencies, yet we are already obliged to strain the impost till it produces clamour, and will produce evasion, & war on our own citizens to collect it: and even to resort to an *Excise* law, of odious character with the people, partial in it's operation, unproductive unless enforced by arbitrary & vexatious means, and committing the authority of the government in parts where resistance is most probable, & coercion least practicable. They cite propositions in Congress and suspect other projects on foot still to increase the mass of debt. They say that by borrowing at $\frac{2}{3}$ of the interest, we might have paid off the principal in $\frac{2}{3}$

of the time: but that from this we are precluded by it's being made irredeemable but in small portions & long terms: That this irredeemable quality was given it for the avowed purpose of inviting it's transfer to foreign countries. They predict that this transfer of the principal, when compleated, will occasion an exportation of 3. millions of dollars annually for the interest, a drain of coin, of which as there has been no example, no calculation can be made of it's consequences: That the banishment of our coin will be compleated by the creation of 10. millions of paper money, in the form of bank bills, now issuing into circulation. They think the 10. or 12. percent annual profit paid to the lenders of this paper medium taken out of the pockets of the people, who would have had without interest the coin it is banishing: That all the capital employed in paper speculation is barren & useless, producing, like that on a gaming table, no accession to itself, and is withdrawn from commerce & agriculture where it would have produced addition to the common mass: That it nourishes in our citizens habits of vice and idleness instead of industry & morality: That it has furnished effectual means of corrupting such a portion of the legislature, as turns the balance between the honest voters which ever way it is directed: That this corrupt squadron, deciding the voice of the legislature, have manifested their dispositions to get rid of the limitations imposed by the constitution on the general legislature, limitations, on the faith of which, the states acceded to that instrument: That the ultimate object of all this is to prepare the way for a change, from the present republican form of government, to that of a monarchy, of which the English constitution is to be the model. That this was contemplated in the Convention is no secret, because it's partisans have made none of it. To effect it then was impracticable, but they are still eager after their object, and are predisposing every thing for it's ultimate attainment. So many of them have got into the legislature, that, aided by the corrupt squadron of paper dealers, who are at their devotion, they make a majority in both houses. . . .

Of all the mischiefs objected to the system of measures before mentioned, none is so afflicting, and fatal to every honest hope, as the corruption of the legislature. As it was the earliest of these measures, it became the instrument for producing the rest, & will be the instrument for producing in future a king, lords & commons, or whatever else those who direct it may chuse. Withdrawn such a distance from the eye of their constituents, and these so dispersed as to be inaccessible to

public information, & particularly to that of the conduct of their own representatives, they will form the most corrupt government on earth, if the means of their corruption be not prevented. The only hope of safety hangs now on the numerous representation which is to come forward the ensuing year. Some of the new members will probably be either in principle or interest, with the present majority, but it is expected that the great mass will form an accession to the republican party. They will not be able to undo all which the two preceding legislatures, & especially the first, have done. Public faith & right will oppose this. But some parts of the system may be rightfully reformed; a liberation from the rest unremittingly pursued as fast as right will permit, & the door shut in future against similar commitments of the nation. . . . But should the majority of the new members be still in the same principles with the present, & shew that we have nothing to expect but a continuance of the same practices, it is not easy to conjecture what would be the result, nor what means would be resorted to for correction of the evil. True wisdom would direct that they should be temperate & peaceable, but the division of sentiment & interest happens unfortunately to be so geographical, that no mortal can say that what is most wise & temperate would prevail against what is most easy & obvious? I can scarcely contemplate a more incalculable evil than the breaking of the union into two or more parts. Yet when we review the mass which opposed the original coalescence, when we consider that it lay chiefly in the Southern quarter, that the legislature have availed themselves of no occasion of allaying it, but on the contrary whenever Northern & Southern prejudices have come into conflict, the latter have been sacrificed & the former soothed; that the owners of the debt are in the Southern & the holders of it in the Northern division; that the Anti-federal champions are now strengthened in argument by the fulfilment of their predictions; that this has been brought about by the Monarchical federalists themselves, who, having been for the new government merely as a stepping stone to monarchy, have themselves adopted the very constructions of the constitution, of which, when advocating it's acceptance before the tribunal of the people, they declared it insusceptible; that the republican federalists, who espoused the same government for it's intrinsic merits, are disarmed of their weapons, that which they denied as prophecy being now become true history: who can be sure that these things may not proselyte the small number which was wanting to place the majority on the other side?

And this is the event at which I tremble, & to prevent which I consider your continuance at the head of affairs as of the last importance. . . . North & South will hang together, if they have you to hang on; and, if the first correction of a numerous representation should fail in it's effect, your presence will give time for trying others not inconsistent with the union & peace of the states.

Thomas Jefferson, *Writings* (edited by Paul Leicester Ford, New York, etc., 1895), VI, 1–5 *passim*.

86. An Opinion of Jefferson (1792)

BY SECRETARY ALEXANDER HAMILTON

It was difficult to consider Washington as a partisan, hence Hamilton was looked upon as the head of the Federalists. This extract is from a letter sent to an intimate friend in Virginia, Colonel Edward Carrington, in order that the inhabitants of Jefferson's state might be properly informed of the condition of affairs. — For Hamilton, see No. 54 above. — Bibliography as in No. 85 above.

[Philadelphia, May 26, 1792.]

IT was not, till the last session, that I became unequivocally convinced of the following truth, "*that Mr. Madison, co-operating with Mr. Jefferson, is at the head of a faction, decidedly hostile to me, and my administration; and actuated by views, in my judgment, subversive of the principles of good government, and dangerous to the Union, peace and happiness of the country.*" . . .

This conviction in my mind, is the result of a long train of circumstances; many of them minute. To attempt to detail them all, would fill a volume. I shall therefore confine myself to the mention of a few.

First, As to the point of opposition to me, and my administration.

Mr. Jefferson, with very little reserve, manifests his dislike of the funding system, generally; calling in question, the expediency of funding a debt, at all. Some expressions, which he has dropped in my own presence, (sometimes without sufficient attention to delicacy,) will not permit me to doubt on this point, representations, which I have had from various respectable quarters. I do not mean, that he advocates directly the undoing of what has been done; but he censures the whole, on principles, which, if they should become general, could not but end in the subversion of the system.

In various conversations with *foreigners*, as well as citizens, he has

thrown censure on my *principles* of government, and on my measures of administration. He has predicted, that the people would not long tolerate my proceedings; and, that I should not long maintain my ground. Some of those, whom he *immediately* and *notoriously* moves, have *even* whispered suspicions of the rectitude of my motives and conduct. In the question concerning the Bank, he not only, delivered an opinion in writing against its constitutionality and expediency; but he did it *in a stile and manner*, which I felt as partaking of asperity and ill humor towards me. As one of the trustees of the Sinking fund, I have experienced, in almost every leading question, opposition from him. When any turn of things in the community has threatened either odium or embarrassment to me, he has not been able to suppress the satisfaction, which it gave him. . . .

I find a strong confirmation in the following circumstances. *Freneau*, the present printer of the "National Gazette," who was a journeyman, with Childs & Swain, at New York, was a known Anti-federalist. It is reduced to a certainty, that he was brought to Philadelphia, by Mr. Jefferson to be the conductor of a newspaper. It is notorious, that cotemporarily with the commencement of his paper, he was a clerk in the department of State, for foreign languages. Hence a clear inference, that his paper has been set on foot, and is conducted, under the patronage, and not against the views of Mr. Jefferson. What then is the complexion of this paper? Let any impartial man peruse all the numbers down to the present day; and, I never was more mistaken, if he does not pronounce, that it is a paper, devoted to the subversion of me and the measures in which I have had an agency; and, I am little less mistaken, if he do not pronounce, that it is a paper, of a tendency *generally unfriendly* to the Government of the United States.

It may be said, that a newspaper being open to all the publications, which are offered to it, its complexion may be influenced by other views, than those of the editor. But the fact here is, that, whenever the editor appears, it is in a correspondent dress. The paragraphs which appear as his own, the publications, not original, which are selected for his press, are of the same malignant and unfriendly aspect; so, as not to leave a doubt, of the temper which directs the publication. . . .

Secondly, As to the tendency of the views of the two gentlemen, who have been named. . . .

In almost all the questions, great and small, which have arisen, since

the first session of Congress, Mr. Jefferson and Mr. Madison have been found among those who are disposed to narrow the Federal authority. . . .

In respect to our foreign politics, the views of these gentlemen are, in my judgment, equally unsound, and dangerous. THEY HAVE A WOMANISH ATTACHMENT TO FRANCE, AND A WOMANISH RESENTMENT AGAINST GREAT BRITAIN. They would draw us into the closest embrace of the former, and involve us in all the consequences of her politics; and they would risk the peace of the country, in their endeavors, to keep us at the greatest possible distance from the latter. This disposition goes to a length, particularly in Mr. Jefferson, of which, till lately, I had no adequate idea. Various circumstances prove to me, that, if these gentlemen were left to pursue their own course, there would be, in less than six months, AN OPEN WAR BETWEEN THE UNITED STATES AND GREAT BRITAIN. . . .

Having delineated to you, what I conceive, to be the true complexion of the politics of these gentlemen, I will now attempt a solution of these strange appearances.

Mr. Jefferson, it is known, did not, in the first instance, cordially acquiesce in the new Constitution for the United States; he had many doubts, and reserves. He left this country, before we had experienced the imbecilities of the former.

In France, he saw government, only on the side of its abuses. He drank deeply of the French philosophy, in religion, in science, in politics. He came from France, in the moment of a fermentation, which he had a share in exciting; and in the passions and feelings of which, he shared, both from temperament and situation. He came here, probably with a too partial idea of his own powers; and, with the expectation of a greater share in the direction of our councils, than he has, in reality, enjoyed. I am not sure, that he had not peculiarly marked out for himself, the department of the finances.

He came, electrified *plus* with attachment to France, and with the project of knitting together, the two countries, in the closest political bands. . . .

Attempts were made by these gentlemen, in different ways, to produce a commercial warfare with Great Britain. In this, too, they were disappointed. And, as they had the liveliest wishes on the subject, their dissatisfaction has been proportionably great; and, as I had not favored the project, I was comprehended in their displeasure. . . .

Another circumstance has contributed to widening the breach. 'Tis evident, beyond a question, from every movement, that Mr. Jefferson aims, with ardent desire, at the Presidential chair. This, too, is an important object of the party — politics. It is supposed, from the nature of my former personal and political connections, that I may favor some other candidate, more than Mr. Jefferson, when the question shall occur, by the retreat of the present gentleman. My influence, therefore, with the community, becomes a thing, on ambitious and personal grounds, to be resisted and destroyed. . . .

It is possible, too, (for men easily heat their imaginations when their passions are heated,) that they have, by degrees, persuaded themselves of what they may have at first only sported, to influence others; namely, that there is some dreadful combination against State Government, and Republicanism; which, according to them, are convertible terms. But there is so much absurdity in this supposition, that the admission of it tends to apologize for their hearts, at the expense of their heads.

Under the influence of all these circumstances, the attachment to the Government of the United States, originally weak in Mr. Jefferson's mind, has given way to something very like dislike in Mr. Madison's, it is so counteracted by personal feelings, as to be more an affair of the head than of the heart . . .

In such a state of mind, both these gentlemen are prepared to hazard a great deal to effect a change. Most of the important measures of every Government are connected with the Treasury. To subvert the present head of it, they deem it expedient to risk rendering the Government itself odious; perhaps, foolishly thinking, that they can easily recover the lost affections and confidence of the people; and not appreciating, as they ought to do, the natural resistance to Government, which, in every community, results from the human passions, the degree to which this is strengthened by the *organized rivality* of State Governments; and the infinite danger that the National Government, once rendered odious, will be kept so by these powerful and indefatigable enemies.

They forget an old, but a very just, though a coarse saying, that it is much easier to raise the devil than to lay him.

John C. Hamilton, *History of the Republic of the United States* (New York, 1859), IV, 524–537 *passim*.

87. Political Satire (1792–1793)

FROM THE NATIONAL GAZETTE

Philip Freneau was the editor of the *National Gazette*, in which position he was established and sustained by Jefferson. It is not possible to form a judgment on the political controversies of this time, without knowing that the newspapers on both sides were violent and often scurrilous. Both of these extracts were unsigned. — For Freneau, see No. 36 above. — For Jefferson's connection with the *National Gazette*, see *Nation*, LX, 143–144; McMaster, *History of the United States*, II, 52–53.

THE late serpentine wreathing and twisting of certain men, to extricate themselves from the present infamy, and the certain execrations of posterity which await their measures in government, is as shameful as the conduct which gave birth to them was corrupt and abominable. Is there a fool in this country so stupid as not to know, that the debates in the federal legislature, and the free discussions in the public papers, have been directed against measures and not against men? was it a matter not worthy of notice or discussion that a debt of a hundred million of dollars should be scraped together out of the old continental money and certificates, a great part of which had actually been called in and sunk by the old Congress and the several states; and the country now laid under intolerable burdens of duties and excises, to pay a quarterly interest on it — that continually increasing — and withal so curiously cooked up, that the whole should go into the hands not of those who had deserved it of the country, but merely to recruit Janisaries devoted to support *perfas et nefas*, the champion of these measures, while the officers and soldiers, and other most meritorious public creditors, are left entirely unprovided for?

Time, that steady and cool interpreter, has already begun to do his work, and much sooner than was expected discloses these transactions in such a light, that the authors of them turn away from the sight.

The constant sing-song of their only apologist, that champion of an impartial and independent press, for several months, was, "Oh these antifederalists are trying to overturn the government; these measures and federal government are the same thing, and whoever opposes them is an antifederalist — Oh these antifederalists!" — But when, on looking over the whole country, it appeared that almost every man who had not been corruptly purchased, and partook of the public plunder, was SUCH AN ANTIFEDERALIST, it became necessary to drop that story; and the mighty apology now is, "one of the heads of depart-

ments is envious against the head of another department. Oh, what a vile thing is envy! If that individual was not envious at the other individual, all Congress would think, and all the country would think, that the imposts and excises were very light, would be glad to see that they were devoted forever to the purchase of a monied aristocracy of foreigners, fugitives, and speculators; that nothing was left to protect the butchered frontiers, and that the officers, soldiers, and others who had devoted their property and their lives, as the purchase of our independence, should be forgotten, and their descendents perish in indigence!" . . .

To the Noblesse and Courtiers of the United States.

WANTED against the 21st of February, a person who is well skilled in the trade of versifying, and who is willing to offer up his talents to government as a *Poet Laureat*. As this is somewhat of a new trade in the United States, and the person offering himself may be awkward in the duties which he is called to perform, it is intended to write to the poet laureat of his Britannic majesty for a few lessons. One thing, however, will be certainly required, a dexterity in composing *birth-day odes*, soaring above this clod for models for the characters laureated. To compare an officer of government to any thing on this earth, would be an anti-hyperbole, unsuited to the *majesty* of the subject. It will not be mal-apropos for the poet, in order to render himself the more acceptable, to have an intimate knowledge of the causes of decline of all the republics which have preceded us, that he may celebrate those causes as favorable to American prosperity. The *ignorance* of Americans will render this tale highly pleasing — To give a more perfect accommodation to this *almost new* appointment, certain *monarchical prettinesses* must be highly extolled, such as *levees, drawing-rooms, stately nods instead of shaking hands, titles of office, seclusion from the people*, &c. It may be needless to mention certain other trifling collateral duties, but that the poet may be acquainted with the whole circle of requisites, it may not be amiss to hint, that occasional strokes of ridicule at equality; the absurdity that the *vulgar*, namely, the people, should presume to think and judge for themselves; the great benefit of *rank and distinction;* the abomination of equality supposing that the officers of government ought to *level* themselves with the people, by visiting them, inviting them to their tables, &c. may be introduced by way of episode to the poem. It is a wretched and mad

opinion that some high flying republicans maintain, that officers of government ought to deport themselves as the *equals* of the people: it is founded in human nature, that when men are exalted above their fellows, they should feel a consequence, exercise an insolence, and observe a stately superiority over those who have advanced them; for by *equalizing* themselves with the mobocracy, they diminish that *reverence and submission*, which ought necessarily to be annexed to every important office. The majesty of the people is a ridiculous solecism — it ought to be the *majesty of the officers of government*, "stuck o'er with titles and hung round with strings." As the objects are sketched which are to engage the attention of the poet, it only remain to mention, that the person who can render this *essential* service will be well provided for by government either at home or *abroad*.

National Gazette [Philadelphia], November 21, 1792, and January 5, 1793.

88. "Character of Saint Tamany" (1794)

BY WILLIAM PRICHARD

The Indian chief, Tammany, was chosen as the patron saint of a secret society organized in 1789 in New York City. Later the society became a power in politics, and out of it grew the Tammany Hall of to-day. — Bibliography: J. D. Hammond, *Parties in New York*, I, ch. xviii; Lalor, *Cyclopædia*, III, 850–856.

IMMORTAL Tamany, of Indian race,
Great in the field, and foremost in the chace!
No puny saint was he, with fasting pale,
He climb'd the mountain, and he swept the vale,
Rush'd thro' the torrent with unequall'd might;
Your ancient saints would tremble at the sight;
Caught the swift boar, and swifter deer, with ease,
And work'd a thousand miracles like these.
To public views he added private ends,
And lov'd his country most, and next his friends;
With courage long he strove to ward the blow,
(Courage we all respect ev'n in a foe,)
And when each effort he in vain had tried,
Kindled the flame in which he bravely died!

Let the full horn to Tamany go round,
His fame let every honest tongue resound!
With him let ev'ry gen'rous patriot vie,
To live in freedom, or with honour die.

The Columbian Muse (J. Carey, New York, 1794), 223–224.

89. Political Conditions in America (1795)

BY REVEREND WILLIAM WINTERBOTHAM

For Winterbotham, see No. 23 above. — Bibliography as in No. 83 above.

IN America, the expenses of the government are very much less, in proportion to wealth and numbers, than those of any nation in Europe. There is no land tax among the national revenues, nor is there any interior tax, or excise upon food, drink, fuel, lights, or any native or foreign manufacture, or native or foreign production, except a duty of about four pence sterling upon domestic distilled spirits. The greatest part of the public burdens are paid by an import duty on foreign goods, which being drawn back on exportation, it remains only on what is actually used, and is in that view the lowest in the world. . . .

Trade has been encouraged by a drawback of all the import duty on foreign goods, when they are exported, excepting only a very few commodities of a particular nature, which are not desired to be much imported into, or consumed in, the United States.

A national mint is established under the direction of the ablest practical man in the arts and sciences which America affords, DAVID RITTENHOUSE. It is provided by law, that the purity and intrinsic value of the silver coins shall be equal to that of Spain, and of the gold coins to those of the strictest European nations. The government of the United States foregoes all profit from the coinage; this is certainly an honest, a politic and wholesome forbearance, but America is the first that has adopted it.

The banks established in the several cities of Philadelphia, New-York, Boston, Baltimore, Charleston, Alexandria, &c. divide a profit of seven and a half to eight and a half per cent. per annum at present, which is paid half-yearly. The interest of the public debt of the United

States is paid every quarter of a year with a punctuality absolute and perfect. There is no tax on property in the funds and banks. . . .

With respect to the state of politics in America, they have among them a few suspected royalists, exclusive of some Englishmen settled in the great towns, whom the Americans regard as unreasonably prejudiced against their government, and infected with a kind of *maladie du pays*.

The rest of the Americans are republicans, but of two classes: the one leaning to an extension rather than a limitation of the powers of the legislative and executive government; or, in other words, rather leaning to British than to French politics; inclining to introduce and extend the funding, the manufacturing, and the commercial systems. In this class rank almost all the executive officers of government, with the President at their head; the majority of the members of the senates, and the greatest part of the opulent merchants of the large towns: this party is denominated the Federalists, partly because they were the chief introducers and supporters of the present federal government, and the constitution of 1787; and partly from the very ingenious series of letters in favour of that constitution by Mr. Hamilton, termed "The Federalist."

The other party are called, "Anti-federalists;" not because they are adverse to a federal government, or wish, like the French, for a republic, one and indivisible, but in contradistinction rather to the denomination of the other class. The Anti-federalists, at the time when the present American constitution was in agitation, were hostile to the extensive powers given to government, and wished for more frequent returns to the people, of the authority they were to delegate to their trustees in office. This party objects to the salaries given to the officers of government as too large, to the state and distance assumed by some among them. Not even excluding the President Washington, whose manners and mode of living, cold, reserved and ceremonious, *as is said*, have tended in some degree to counteract the effect of his great abilities and eminent services. The Anti-federalists also rather lean to the French theory, though not to the French practice of politics; and they are averse to what they deem the monopolizing spirit, and insulting arrogance of superiority in England. This spirit of animosity against Great-Britain has been prodigiously increased by the part she is supposed to have taken in fomenting the Indian war, in exciting the hostilities of the Algerines, in seizing the ships and obstructing the commerce of the American merchants, in refusing or neglecting to give up the posts upon the lakes, or to make reparation for stolen negroes. The conduct of

the British Court has certainly given strength to the Anti-federal party, among whom may now be ranked the majority of the people, and the majority of the houses of representatives.

It will be easy to conjecture from the preceding account, that the Federalists are the *ins*, and the Anti-federalists the *outs* of the American government; and this is in a great degree, but not universally true.

W[illiam] Winterbotham, *An Historical, Geographical, Commercial, and Philosophical View of the American United States* (London, 1795), III, 302–336 *passim*.

90. "Independence Day" (1796)

BY JUDGE ROYALL TYLER

Tyler was a judge of the Supreme Court of Vermont who made an avocation of light verse and political paragraphs. He was also a successful dramatist. These mildly satirical verses were directed against the rural Democrats of New England. — Bibliography: Channing and Hart, *Guide*, §§ 160, 162.

SQUEAK the fife, and beat the drum,
INDEPENDENCE DAY is come!!
Let the roasting pig be bled,
Quick twist off the cockerel's head,
Quickly rub the pewter platter,
Heap the nutcakes, fried in batter.
Set the cups, and beaker glass,
The pumpkin, and the apple sauce,
Send the keg to shop for brandy;
Maple sugar we have handy,
Independent, staggering Dick,
A noggin mix of *swinging thick*,
Sal, put on your russel skirt,
Jotham get your *boughten* shirt.
To day we dance to tiddle diddle.
— Here comes Sambo with his fiddle;
Sambo, take a dram of whisky,
And play up Yankee doodle frisky.
Moll, come leave your witched tricks,
And let us have a reel of six.
Father and mother shall make two;

Sal, Moll and I stand all a row,
Sambo, play and dance with quality;
This is the day of blest Equality.
Father and *mother* are but men,
And Sambo — is a *Citizen*.
Come foot it, Sal — Moll, figure in,
And, Mother, you dance up to him;
Now saw as fast as e'er you can do,
And Father, you cross o'er to Sambo.
— Thus we dance, and thus we play,
On glorious *Independent Day*. —
Rub more rosin on your bow,
And let us have another go.
Zounds, as sure as eggs and bacon,
Here's ensign Sneak, and uncle Deacon,
Aunt Thiah, and their Bets behind her
On blundering mare, than beetle blinder.
And there's the 'squire too with his lady —
Sal, hold his beast, I'll take the baby.
Moll, bring the 'squire our great arm chair,
Good folks, we're glad to see you here.
Jotham, get the great case bottle,
Your teeth can pull its corn cob stopple.
Ensign, — Deacon, never mind;
'Squire, drink until you're blind;
Come here's the French — and Guillotine,
And here is good 'squire Gallatin,
And here's each noisy Jacobin.
Here's friend Madison so hearty,
And here's confusion to the treaty.
Come, one more swig to southern Demos,
Who represent our brother negroes.
Thus we drink and dance away,
This glorious INDEPENDENT DAY!

The Newhampshire and Vermont Journal: or, The Farmer's Weekly Museum (Walpole, N. H.), July 19, 1796.

91. Election of 1796

BY PRESIDENT JOHN ADAMS (1797)

The election of 1796 was the first real presidential contest, Washington having in both 1789 and 1793 received the entire vote of the electoral college. This letter was written to Henry Knox. — For Adams, see No. 53 above. — Bibliography: Channing and Hart, *Guide*, § 164.

Philadelphia, 30 March, 1797.

DEAR SIR, — I received with much pleasure your favor of the 19th. If I should meet with any roses in my path, I shall thank you for your congratulations, and when I set my foot on thorns, as I certainly shall, I shall thank you equally for your condolence; but when you assure me that you feel a confidence in the safety of our political bark, you give me much comfort, and I pray you may not be disappointed.

It is a delicate thing for me to speak of the late election. To myself, personally, "my election" might be a matter of indifference or rather of aversion. Had Mr. Jay, or some others, been in question, it might have less mortified my vanity, and infinitely less alarmed my apprehensions for the public. But to see such a character as Jefferson, and much more such an unknown being as Pinckney, brought over my head, and trampling on the bellies of hundreds of other men infinitely his superiors in talents, services, and reputation, filled me with apprehensions for the safety of us all. It demonstrated to me that, if the project succeeded, our Constitution could not have lasted four years. We should have been set afloat, and landed, the Lord knows where. That must be a sordid people, indeed — a people destitute of a sense of honor, equity, and character, that could submit to be governed, and see hundreds of its most meritorious public men governed, by a Pinckney, under an elective government. Hereditary government, when it imposes young, new, inexperienced men upon the public, has its compensations and equivalent, but elective government has none. I mean by this no disrespect to Mr. Pinckney. I believe him to be a worthy man. I speak only by comparison with others.

I have it much at heart to settle all disputes with France, and nothing shall be wanting on my part to accomplish it, excepting a violation of our faith and a sacrifice of our honor. But old as I am, war is, even to me, less dreadful than iniquity or deserved disgrace. Nothing can be done of much moment, in the way even of negotiation, without the Senate, and nothing else without Congress.

Your project has been long ago considered and determined on. Mr. Jefferson would not go. His reasons are obvious; he has a station assigned him by the nation, which he has no right to quit, nor have I any right, perhaps, to call him from it. I may hereafter communicate to you, what I have never communicated to any other, what has passed upon the subject. The circumstance of rank is too much. We shall never be respected in Europe while we confound ranks in this manner. In their eyes, the chief justice was too much to send to England. I have plans in contemplation that I dare say will satisfy you when they come to be developed. I regret the time that must be lost before the senate and representatives can assemble.

If we wish not to be degraded in the eyes of foreigners, we must not degrade ourselves. What would have been thought in Europe, if the King of France had sent Monsieur, his eldest brother, as an envoy? What of the King of England, if he had sent the Prince of Wales? Mr. Jefferson is, in essence, in the same situation. He is the first prince of the country, and the heir apparent to the sovereign authority, *quoad hoc*. His consideration in France is nothing. They consider nobody but themselves. Their apparent respect and real contempt for all men and all nations but Frenchmen, are proverbial among themselves. They think it is in their power to give characters and destroy characters as they please, and they have no other rule but to give reputation to their tools, and to destroy the reputation of all who will not be their tools. Their efforts to "*popularizer*" Jefferson, and to "*dépopulariser*" Washington, are all upon this principle. To a Frenchman the most important man in the world is himself, and the most important nation is France. He thinks that France ought to govern all nations, and that he ought to govern France. Every man and nation that agrees to this, he is willing to "*popularizer;*" every man or nation that disputes or doubts it, he will "*dépopulariser,*" if he can.

This is all in confidence from, Sir, your must humble servant,

JOHN ADAMS.

John Adams, *Works* (edited by Charles Francis Adams, Boston, 1853), VIII, 535–536.

CHAPTER XIV — FOREIGN RELATIONS

92. A Confession of England's Error (1789)

ANONYMOUS

The division of opinion in England (see *Contemporaries*, II, Nos. 142, 215) respecting the wisdom of entering on the Revolutionary War, almost ceased after the independence of the United States had been acknowledged. This squib reflects the wide-spread conviction that the war had been a mistake.

UPON a trestle, pig was laid,
And a sad squealing sure it made.
Kill-pig stood by with knife and steel:
"Lie quiet, can't you? — Why d'ye squeal?
Have I not fed you with my pease,
And now, for trifles such as these,
Will you rebel? — Brimful of victual,
Won't you be kill'd and cur'd a little?"
To whom thus piggy, in reply:
"Think'st thou that I shall quiet lie,
And that for pease my life I'll barter?" —
"Then, piggy, you must shew your charter;
Shew you're exempted more than others,
Else go to pot like all your brothers. —
Help, neighbours! help? — this pig's so strong,
I think I cannot hold him long.
Help neighbours; I can't keep him under!
Where are you all? — See, by your blunder,
He's burst his cords! — A brute uncivil,
He's gone! — I'll after — to the devil!"

Annual Register, 1789 (second edition, London, 1802), second pagination, 160.

93. The French Revolution (1792)

BY GENERAL MARIE PAUL JOSEPH, MARQUIS DE LAFAYETTE

Having had his love of liberty nourished in America, Lafayette endeavored to help his countrymen to gain a like happiness; but he was eventually thrown off by the ultra-democratic faction. This letter to Washington was written a few months before Lafayette's proscription and flight, and while he still had faith in the ultimate success of his own ideals. — For Lafayette, see *Contemporaries*, II, No. 172. — Bibliography: Channing and Hart, *Guide*, §§ 162, 164.

Paris, 15 March, 1792.

My Dear General,

I HAVE been called from the army to this capital for a conference between the two other generals, the ministers, and myself, and am about returning to my military post. The coalition between the continental powers respecting our affairs is certain, and will not be broken by the Emperor's death. But, although warlike preparations are going on, it is very doubtful whether our neighbours will attempt to stifle so very catching a thing as liberty.

The danger for us lies in our state of anarchy, owing to the ignorance of the people, the number of non-proprietors, the jealousy of every governing measure, all which inconveniences are worked up by designing men, or aristocrats in disguise, but both extremely tend to defeat our ideas of public order. Do not believe, however, the exaggerated accounts you may receive, particularly from England. That liberty and equality will be preserved in France, there is no doubt; in case there were, you well know that I would not, if they fall, survive them. But you may be assured, that we shall emerge from this unpleasant situation, either by an honorable defence, or by internal improvements. How far this constitution of ours insures a good government has not been as yet fairly experienced. This only we know, that it has restored to the people their rights, destroyed almost every abuse, and turned French vassalage and slavery into national dignity, and the enjoyment of those faculties, which nature has given and society ought to insure.

Give me leave to you alone to offer an observation respecting the late choice of the American ambassador. You know I am personally a friend to Gouverneur Morris, and ever as a private man have been satisfied with him. But the aristocratic, and indeed counter-revolutionary principles he has professed, unfitted him to be the representative of the only nation, whose politics have a likeness to ours, since they are founded

on the plan of a representative democracy. This I may add, that, surrounded with enemies as France is, it looks as if America was preparing for a change in this government; not only that kind of alteration, which the democrats may wish for and bring about, but the wild attempts of aristocracy, such as the restoration of a *noblesse*, a House of Lords, and such other political blemishes, which, while we live, cannot be reëstablished in France. I wish we had an elective Senate, a more independent set of judges, and a more energetic administration; but the people must be taught the advantages of a firm government before they reconcile it to their ideas of freedom, and can distinguish it from the arbitrary systems, which they have just got over. You see, my dear General, I am not an enthusiast for every part of our constitution, although I love its principles, which are the same as those of the United States, except the hereditary character of the president of the executive, which I think suitable to our circumstances. But I hate every thing like despotism and aristocracy, and I cannot help wishing the American and French principles were in the heart and on the lips of the American ambassador in France. This I mention *to you alone.*

There have been changes in the ministry. The King has chosen his council from the most violent popular party in the Jacobin club, a Jesuitic institution, more fit to make deserters from our cause than converts to it. The new ministers, however, being unsuspected, have a chance to restore public order, and say they will improve it. The Assembly are wild, uninformed, and too fond of popular applause; the King, slow and rather backward in his daily conduct, although now and then he acts full well; but upon the whole it will do, and the success of our revolution cannot be questioned.

My command extends on the frontiers from Givet to Bitche. I have sixty thousand men, a number that is increasing now, as young men pour in from every part of the empire to fill up the regiments. This voluntary recruiting shows a most patriotic spirit. I am going to encamp thirty thousand men, with a detached corps, in an intrenched camp. The remainder will occupy the fortified places. The armies of Maréchals Luckner and Rochambeau are inferior to mine, because we have sent many regiments to the southward; but, in case we have a war to undertake, we may gather respectable forces.

Our *emigrants* are beginning to come in. Their situation abroad is miserable, and, in case even we quarrel with our neighbours, they will be out of the question. Our paper money has been of late rising very

fast. Manufactures of every kind are much employed. The farmer finds his cares alleviated, and will feel the more happy under our constitution, as the Assembly are going to give up their patronage of one set of priests. You see, that, although we have many causes to be as yet unsatisfied, we may hope every thing will by and by come right. Licentiousness, under the mask of patriotism, is our greatest evil, as it threatens property, tranquillity, and liberty itself. Adieu, my dear General. My best respects wait on Mrs. Washington. Remember me most affectionately to our friends, and think sometimes of your respectful, loving, and filial friend,

LAFAYETTE.

George Washington, *Writings* (edited by Jared Sparks, Boston, 1836), X, Appendix, 502–504.

94. Criticism of the Neutrality Proclamation (1793)

BY "VERITAS"

The letters signed "Veritas" have been ascribed to Jefferson, but he denied the authorship, and accused a clerk in the treasury of writing them with a design to make unpopular the opposition to the proclamation. — Bibliography as in No. 93 above.

TO THE PRESIDENT OF THE UNITED STATES.

SIR,

IN countries where *the people* have little or no share in the government, (as in Great Britain for instance) it is not uncommon for the executive to act in direct opposition to the *will of the nation.* It is to be hoped that the practice of apeing the absurd and tyrannical systems of Britain, though already carried to an alarming extent in this country, will never proceed so far, as to induce our executive to try the vain experiment of officially opposing the *national will.* An attempt of this kind, at present, would be scouted with deserved contempt, and bring ruin on its author; and such must continue to be the case, unless government shall be able to establish so much corrupt influence as, with the aid of bayonet-logic, will be sufficient to support it, in defiance of the people.

Had you, Sir, before you ventured to issue a proclamation which appears to have given much uneasiness, consulted the *general* sentiments of your fellow-citizens, you would have found them, from one extremity

of the Union to the other, firmly attached to the cause of France. You would not have found them disposed to consider it as a "duty" to forget their debt of gratitude to the French nation; or to view with unconcern, the magnanimous efforts of a faithful ally, to baffle the infernal projects of those despots who have confederated for the purpose of crushing her infant liberty. Neither would you have found them so far divested of the feelings of men, as to treat with "impartiality," and equal "friendship," those tigers, who so lately deluged our country with the blood of thousands, and the men who generously flew to her rescue and became her deliverers. No, Sir — had even no written treaty existed between France and the United States, still would the strongest ties of amity have united the people of both nations; still would the republican citizens of America have regarded Frenchmen, contending for liberty, as their brethren; still would they have sympathized with them in their misfortunes, and have exulted in their success. Such, unquestionably, is the disposition of the generality of the people of the United States with respect to the French revolution. To such a people it would have been a pleasing circumstance, to have been able to discover in the proclamation a recognition of the treaties with France. That so little attention has been paid to the clamours which have arisen on this subject, in various parts of the Union, is to be lamented by every friend to the general government. Had you, Sir, considered the importance of retaining your popularity, you would, perhaps, have listened to the murmurs of the citizens; and have *deigned* to give them such explanations as might appear necessary to clear up the doubts which yet distract their minds. If this would have been *descending too far*, the secretary might have been authorized to satisfy the doubts or correct the mistakes of the people.

It ought never to be forgotten by our magistrates, that popular opinion is the basis of our government; and that when any public measure is not well understood, it would be by no means degrading to the authors of that measure, however exalted their station, to explain. Let me intreat you, Sir, to deal candidly with the people; and, without loss of time, to remove their anxiety, by informing them whether it is intended that the treaties with France are to be observed or not.

I am aware, Sir, that some court satellites may have deceived you, with respect to the sentiments of your fellow citizens. The first magistrate of a country, whether he be called a king or a president, seldom knows the real state of the nation, particularly if he be so much buoyed

up by official importance, as to think it beneath his dignity to mix occasionally with the people. Let me caution you, Sir, to beware that you do not view the state of the public mind, at this critical moment, through a fallacious medium. Let not the little buzz of the aristocratic few, and their contemptible minions, of speculators, tories, and British emissaries, be mistaken for the exalted and general voice of the American people. The spirit of 1776 is again roused; and soon shall the mushroom-lordlings of the day, the enemies of American as well as French liberty, be taught that American whigs of 1776, will not suffer French patriots of 1792, to be vilified with impunity, by the common enemies of both.

VERITAS.

National Gazette [Philadelphia], June 5, 1793.

95. Complaint of the French Minister (1793)

BY CITOYEN MINISTRE EDMOND CHARLES GENET

Genet was the first minister sent by the French republic to the United States. He arrived at the time when the popular furor for the French Revolution was at its height. Believing, or pretending to believe, that the government had no right to preserve neutrality in the face of such an ebullition of popular opinion, he acted in such a manner as to make himself *persona non grata*, and at Washington's request he was recalled. He remained in America and disappeared from public view. Jefferson had informed Genet that his recall had been requested, and the following undiplomatic letter was the minister's reply. — Bibliography as in No. 93 above.

NEW YORK, *September* 18, 1793, *2d year of the French republic, one and indivisible.*

SIR:

PERSUADED that the sovereignty of the United States resides essentially in the People, and its representation in the Congress; persuaded that the Executive power is the only one which has been confided to the President of the United States; persuaded that this magistrate has not the right to decide questions, the discussion of which, the constitution reserves particularly to the Congress; persuaded that he has not the power to bend existing treaties to circumstances, and to change their sense; persuaded that the league formed by all the tyrants to annihilate republican principles, founded on the rights of man, will be the object of the most serious deliberations of Congress; I had deferred, in the sole view of maintaining good harmony between the

free people of America and France, communicating to my Government, before the epoch at which the Representatives of the People were to assemble, the original correspondence which has taken place, in writing, between you and myself, on the political rights of France in particular; on the interests of general liberty; and on the acts, proclamations, and decisions of the President of the United States, relative to objects which require, from their nature, the sanction of the legislative body. However, informed that the gentlemen who have been painted to me so often as aristocrats, partisans of monarchy, partisans of England, of her constitution, and consequently enemies of the principles which all good Frenchmen have embraced with a religious enthusiasm, alarmed at the popularity which was reflected on the minister of France, by the affection of the American People for the French republic, and for the glorious cause which it defends, alarmed equally at my unshaken and incorruptible attachment to the severe maxims of democracy, were laboring to ruin me in my country, after having re-united all their efforts to calumniate me in the view of their fellow-citizens, I was going to begin to collect these afflicting materials, and I was taking measures to transmit them to France with my reports, when the denunciation which those same men have excited the President to exhibit against me, through Mr. Morris, came to my hands. Strong in the principles which have directed my conduct, sheltered from every well founded reproach, I expected, nevertheless, to have found in it some serious allegations; but what has been my astonishment on finding that the American People were more outraged in it than myself; that it was supposed that I exercised over them a *sovereign* influence; that it was pretended that I was making them take a part in the war of liberty, for the defence of their brethren, of their allies, again[s]t the intention of their Government; that judgments favorable to our interests, rendered in the midst of the acclamations of the citizens of Philadelphia, by juries, and by independent tribunals, have not been the expression of a severe justice; in short, that I was a power within another power. Such strange accusations, proving only that the American People loves and supports our principles and our cause, in spite of its numerous enemies, and that the power which they do me the honor to attribute to me, is only that of gratitude struggling against ingratitude, of truth combating error, I will send no other justification of my conduct. . . .

It is in the name of the French People, that I am sent to their brethren – to free and sovereign men: it is then for the representatives

of the American People, and not for a single man, to exhibit against me an act of accusation, if I have merited it. . . . I pray you then, sir, to place under the eyes of the President of the United States, the demand which I make in the name of equity, to lay before Congress for their discussion, at the epoch when they shall be assembled by the law, if the great events which occupy the universe do not appear yet sufficient to hasten their convocation, 1st. All the questions relative to the political rights of France and the United States. 2d. The different cases resulting from our state of war with the Powers of whose acts of aggression I have informed you. 3d. The heads of accusation which the minister of the United States with the French republic is charged to exhibit against me, and against the consuls whose character is compromitted and outraged in the most scandalous manner, for having obeyed superior orders, which it was neither in their power nor in mine to revoke. In this expectation, sir, I do not consider the dignity of the French nation as compromitted by the extraordinary position in which I find myself, as well as the consuls, and I have to complain only of the forms you have employed. . . .

I will answer more in detail, sir, at a proper time, to your violent diatribe; but it contains one fact on which I must now give you explanations. You are made to reproach me with having indiscreetly given to my official proceedings a tone of color, which has induced a belief, that they did not know, in France, either my character or my manners. I will tell you the reason, sir: it is that a pure and warm blood runs with rapidity in my veins; that I love passionately my country; that I adore the cause of liberty; that I am always ready to sacrifice my life to it; that to me, it appears inconceivable, that all the enemies of tyranny, that all virtuous men, do not march with us to the combat; and that, when I find an injustice is done to my fellow citizens, that their interests are not espoused with the zeal which they merit, no consideration in the world would hinder either my pen or my tongue from tracing, from expressing my pain. I will tell you then without ceremony, that I have been extremely wounded, sir, 1st, that the President of the United States was in a hurry, before knowing what I had to transmit to him, on the part of the French republic, to proclaim sentiments, on which decency and friendship should at least have drawn a veil. 2d. That he did not speak to me at my first audience, but of the friendship of the United States towards France, without saying a word to me, without enouncing a single sentiment on our revolution; while

all the towns, from Charleston to Philadelphia, had made the air resound with their most ardent wishes for the French republic. 3d. That he had received and admitted to a private audience, before my arrival, Noailles and Talon, known agents of the French counter-revolutionists, who have since had intimate relations with two members of the Federal Government. 4th. That this first magistrate of a free People, decorated his parlor with certain medallions of Capet and his family, which served at Paris as signals of rallying. 5th. That the first complaints which were made to my predecessor on the armaments and prizes which took place at Charleston on my arrival, were, in fact, but a paraphrase of the notes of the English minister. 6th. That the Secretary of War, to whom I communicated the wish of our governments of the Windward Islands, to receive promptly some fire-arms and some cannon, which might put into a state of defence possessions guarantied by the United States, had the front to answer me with an ironical carelessness, that the principles established by the President, did not permit him to lend us so much as a pistol. 7th. That the Secretary of the Treasury, with whom I had a conversation on the proposition which I had made to convert almost the whole American debt, by means of an operation of finance authorized by the law, into flour, rice, grain, salted provisions, and other objects of which France had the most pressing need, added to the refusal which he had already made officially of favoring this arrangement, the positive declaration, that, even if it were practicable, the United States could not consent to it, because England would not fail to consider this extraordinary reimbursement furnished to a nation with which she is at war, as an act of hostility. 8th. That, by instructions from the President of the United States, the American citizens who ranged themselves under the banners of France, have been prosecuted and arrested; a crime against liberty unheard of, of which a virtuous and popular jury avenged with eclat the defenders of the best of causes. 9th. That incompetent tribunals were suffered to take cognizance of facts relative to prizes which treaties interdict them expressly from doing; that, on their acknowledgment of their incompetency, this property, acquired by the right of war, was taken from us, that it was thought ill of, that our consuls protested against these arbitrary acts, and that, as a reward for his devotion to his duty, the one at Boston was imprisoned as a malefactor. 10th. That the President of the United States took on himself to give to our treaties arbitrary interpretations, absolutely contrary to their true sense, and

that, by a series of decisions which they would have us receive as laws, he left no other indemnification to France for the blood she spilt, for the treasure she dissipated in fighting for the independence of the United States, but the illusory advantage of bringing into their ports the prizes made on their enemies, without being able to sell them. 11th. That no answer is yet given to the notification of the decree of the National Convention for opening our ports in the two worlds to the American citizens, and granting the same favors to them, as to the French citizens — advantages which will cease if there be a continuance to treat us with the same injustice. 12th. That he has deferred, in spite of my respectful insinuations, to convoke Congress immediately, in order to take the true sentiments of the people, to fix the political system of the United States, and to decide whether they will break, suspend, or tighten their bands with France — an honest measure, which would have avoided to the Federal Government much contradiction and subterfuge, to me much pain and disgust, to the local governments, embarrassments so much the greater, as they found themselves placed between treaties, which are laws, and decisions of the Federal Government, which are not: in fine, to the tribunals, duties so much the more painful to fulfil, as they have been often under the necessity of giving judgments contrary to the intentions of the Government.

. . . I have done strictly my duty; I have defended my ground; and I will suffer no precedent against any of the rights of the French People while there remains to me a breath of life; while our two republics shall not have changed the basis of their political and commercial relations; while they shall not have persuaded the American People that it is more advantageous for them to become insensibly the slaves of England, the passive tributaries of their commerce, the sport of their politics, than to remain the allies of the only Power who may be interested to defend their sovereignty and their independence; to open to them their colonies, and to their riches those markets which double their value. If it be to this that tend all the machinations set in motion against the French republicans, and against their friends in the United States; if it be to attain this more conveniently, that they wish to have here, instead of a democrat ambassador, a minister of the ancient regimen, complaisant, very mild, well disposed to pay his court to people in place, to conform himself blindly to whatsoever may flatter their views and their projects, and to prefer, above all, to the modest and sure society of good farmers, plain citizens, honest artisans, that of dis-

tinguished personages, who speculate so patriotically on the public funds, on the lands and paper of the State, I know not if the French republic can find for you at this day such a man in their bosom; but in all events, sir, I can assure you, that I will press very strongly its government to *sacrifice me without hesitation*, if this injustice offers the least utility.

Accept my respect.

GENET.

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), I, 172–174 *passim*.

96. Seizure of American Vessels (1794)

BY CONSUL FULWAR SKIPWITH

Under stress of war, France decreed to neutral vessels the right of trading in the French colonies, and other rights of French ships. England, refusing to recognize the trade as neutral, seized and condemned the American ships under the Rule of 1756. This caused much distress and more indignation, but war was temporarily avoided by the Jay Treaty (see No. 97 below). This extract is from letters addressed to the secretary of state. — Bibliography as in No. 93 above.

ST. EUSTATIA, *March* 1, 1794.

. . . ON the 20th ultimo I had the honor of addressing you, and of expressing, with deep concern, my apprehensions of the design of the British nation upon the flag of the United States; and had not all communication have ceased, between Martinique and the British islands, for a month previous to my letter, I might, possibly, have derived such authentic information of the then prevailing symptoms of events, as would have justified my giving, to the American vessels in these seas, as well as to the Executive of the United States, an official and more satisfactory account; but, placed as I have been, I have done no more than to suggest to them, from time to time, my suspicions of a nation long used to committing acts of violence and of depredation.

The ship Delaware, in which I had taken passage for Philadelphia, was, on the 7th instant, captured by the Experiment privateer, of Bermudas, and carried into Monserat; on her arrival stripped of her sails; and, by order of the judge, the captain's papers and mine were peremptorily demanded: I waived a compliance, and at the instant waited on

the judge; and, in the mildest terms, observed the impropriety of my exposing, by compulsion, public papers; which, if the United States were not at war with England, ought to be deemed sacred; or my private papers, which did not, in the most indirect manner, relate to the ship or cargo in question. Such assurances did not satisfy the curiosity of the judge; and, the next day, my desk was seized and forced. The ship Delaware, with thirty-three other American vessels, have been condemned, in the vice court of admiralty of Monserat; about the same number have been also in St. Kitts; and upwards of one hundred and fifty more have been arrested, and carried into the different ports of the English Windward Islands, and no doubt will share the same fate.

The judges of the courts of admiralty of these English and Dutch Islands pretend to derive their sole authority from Mr. Dundas's instructions, (a copy of which I have the honor herein to transmit you) and some of these gentlemen are so candid as to say, that the Powers combined against France mean to suppress every species of neutral commerce, with the people composing that nation, while at war.

This conduct, arbitrary and unauthorized, on the part of the coalesced despots, in my poor opinion, does not seem to satisfy the avarice and ambitious views of Great Britain; whose privateers, and even government vessels, have, in frequent instances, seized our flag; though cleared from America, for neutral and her own ports, or bound from such ports to America.

The ship Sidney, of Baltimore, cleared for this place, had arrived, two weeks since, under the cannon of one of its fortresses, and was there captured by a small English privateer, carried into St. Kitts, is libelled, and, in the general opinion of that island, will be condemned. Other vessels from America, cleared and actually on a direct passage to neutral and British ports, have been likewise taken and libelled, in British courts of admiralty; and judges, sir, have been heard to say, that although no documents could be found to prove that such vessels intended to trade with the French, yet it was reasonable to suppose that such might have been their designs.

Conceiving that it must be dear and interesting to the United States to secure the services and attachment of their seamen; I have made use of my feeble exertions to obtain them safe passages home; in part I have succeeded; and shall not hesitate, should the necessity of the case require, to charter a vessel for such as should experience a want of conveyance; but, it is with pride and gratification I have the pleasure of

observing, sir, that these honest tars cannot be diverted from hastening to the arms of their much injured country. . . .

[March 7.] My letter, of the 1st instant, will have afforded some detail of the situation of about two hundred and twenty sail of American vessels, seized upon by British vessels of war, and carried into different English Windward ports. The whole of those vessels, with thirty others, which have been captured since my last respects, were, immediately on their arrival in those different ports, libelled; but only those in Dominique, Antigua, Montserat, and St. Kitts, have been condemned; making, in the whole, about one hundred and fifty sail. The greater part of the people, belonging to those vessels, have rendezvoused here, in order to obtain passages for America; and, having been stripped, many of them, of the little resources they had possessed, I have ventured to procure, on account of the United States, a sufficiency of bread, beef, and water, to support them to their respective homes; vouchers and receipts of which, I will have the honor to lay before the Executive of the United States, on my arrival in Philadelphia; and, I flatter myself that the step will meet their approbation, when they become satisfied that my sole motive for undertaking the measure has been to guard our seamen; many of whom would have entered into foreign service.

I have not heard as yet of any other official communication having been received from the combined Powers, maritime, than the instructions of Mr. Dundas, (a copy of which I had the honor to transmit, in my letter of the 1st instant) but, the prevailing Dutch and English opinion seem to be, that they mean to suppress not only all neutral commerce, directly carried on with the French, but that French manufactures and produce shall serve to contaminate any vessel in which they may be found.

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), I, 428–429 *passim.*

97. Defence of the Jay Treaty (1796)

BY REPRESENTATIVE FISHER AMES

Ames was a member of Congress from Massachusetts during the administrations of Washington. He was an ardent Federalist and one of the leaders in the House, where he was considered an extemporaneous but finished orator of great persuasive power. This speech was the culmination of his official career, and secured a majority in favor of the treaty. — Bibliography as in No. 93 above.

SHALL WE BREAK THE TREATY?

THE Treaty is bad, fatally bad, is the cry. It sacrifices the interest, the honor, the independence of the United States, and the faith of our engagements to France. . . . The language of passion and exaggeration may silence that of sober reason in other places, it has not done it here. The question here is, whether the treaty be really so very fatal as to oblige the nation to break its faith. . . .

IT is in vain to alledge that our faith plighted to France is violated by this new Treaty. Our prior Treaties are expressly saved from the operation of the British Treaty. And what do those mean, who say, that our honor was forfeited by treating at all, and especially by such a Treaty? Justice, the laws and practice of nations, a just regard for peace as a duty to mankind, and the known wish of our citizens, as well as that self-respect which required it of the nation to act with dignity and moderation, all these forbid an appeal to arms before we had tried the effect of negociation. The honor of the United States was saved, not forfeited by treating. The Treaty itself by its stipulations for the posts, for indemnity and for a due observation of our neutral rights, has justly raised the character of the nation. Never did the name of America appear in Europe with more lustre than upon the event of ratifying this instrument. The fact is of a nature to overcome all contradiction.

BUT *the independence of the country — we are colonists again.* This is the cry of the very men who tell us that France will resent our exercise of the rights of an independent nation to adjust our wrongs with an aggressor, without giving her the opportunity to say those wrongs shall subsist and shall not be adjusted. This is an admirable specimen of independence. The Treaty with Great Britain, it cannot be denied is unfavorable to this strange sort of independence. . . .

WHY do they complain that the West-Indies are not laid open? Why do they lament that any restriction is stipulated on the commerce of the

East-Indies? Why do they pretend that if they reject this, and insist upon more, more will be accomplished? Let us be explicit — more would not satisfy. If all was granted, would not a Treaty of amity with Britain still be obnoxious? Have we not this instant heard it urged against our Envoy, that he was not ardent enough in his hatred of Great-Britain? A Treaty of Amity is condemned because it was not made by a foe, and in the spirit of one. The same gentleman at the same instant repeats a very prevailing objection, that no Treaty should be made with the enemy of France. No Treaty, exclaim others, should be made with a monarch or a despot. There will be no naval security while those sea robbers domineer on the ocean. Their den must be destroyed. That nation must be extirpated. . . .

. . . Our claim to some agency in giving force and obligation to Treaties, is beyond all kind of controversy NOVEL. The sense of the nation is probably against it. The sense of the Government certainly is. The President denies it on constitutional grounds, and therefore cannot ever accede to our interpretation. The Senate ratified the Treaty and cannot without dishonour adopt it . . .

. . . If they refuse to concur, a Treaty once made remains of full force, although a breach on the part of the foreign nation would confer upon our own a right to forbear the execution. I repeat it, even in that case the act of this house cannot be admitted as the act of the nation, and if the President and Senate should not concur, the Treaty would be obligatory. . . .

ON every hypothesis therefore, the conclusion is not to be resisted, we are either to execute this treaty, or break our faith.

To expatiate on the value of public faith may pass with some men for declamation — to such men I have nothing to say. To others I will urge, can any circumstance mark upon a people more turpitude and debasement? . . .

IT is painful, I hope it is superfluous, to make even the supposition that America should furnish the occasion of this opprobrium. No, let me not even imagine that a republican government sprung, as our own is, from a people enlightened and uncorrupted, a government whose orig[i]n is right, and whose daily discipline is duty, can, upon solemn debate, make its option to be faithless — can dare to act what despots dare not avow, what our own example evinces the states of Barbary are unsuspected of. No, let me rather make the supposition that Great Britain refuses to execute the treaty, after we have done every thing to

carry it into effect. Is there any language of reproach pungent enough to express your commentary on the fact? What would you say, or rather what would you not say? Would you not tell them, wherever an Englishman might travel shame would stick to him — he would disown his country. You would exclaim, England, proud of your wealth, and arrogant in the possession of power — blush for these distinctions, which become the vehicles of your dishonor. Such a nation might truly say, to corruption, Thou art my father, and to the worm, Thou art my mother and my sister. We should say of such a race of men, their name is a heavier burden than their debt.

I CAN scarcely persuade myself to believe that the consideration I have suggested requires the aid of any auxiliary. But, unfortunately, auxiliary arguments are at hand. Five millions of dollars, and probably more, on the score of spoliations committed on our commerce, depend upon the treaty. — The treaty offers the only prospect of indemnity. Such redress is promised as the merchants place some confidence in. Will you interpose and frustrate that hope? Leaving to many families nothing but beggary and despair. . . .

THE refusal of the posts (inevitable if we reject the treaty) is a measure too decisive in its nature to be neutral in its consequences. From great causes we are to look for great effects. A plain and obvious one will be, the price of the western lands will fall. Settlers will not chuse to fix their habitation on a field of battle. Those who talk so much of the interest of the United States should calculate how deeply it will be affected by rejecting the treaty — how vast a tract of wild land will almost cease to be property. This loss, let it be observed, will fall upon a fund expressly devoted to sink the national debt. . . .

WILL the tendency to Indian hostilities be contested by any one? Experience gives the answer. The frontiers were scourged with war until the negociation with Great-Britain was far advanced, and then the state of hostility ceased. Perhaps the public agents of both nations are innocent of fomenting the Indian war, and perhaps they are not. We ought not however to expect that neighbouring nations, highly irritated against each other, will neglect the friendship of the savages, the traders will gain an influence and will abuse it — and who is ignorant that their passions are easily raised and hardly restrained from violence? Their situation will oblige them to chuse between this country and Great-Britain, in case the Treaty should be rejected. They will not be our friends and at the same time the friends of our enemies. . . .

It is not the part of prudence to be inattentive to the tendencies of measures. Where there is any ground to fear that these will be pernicious, wisdom and duty forbid that we should underate them. — If we reject the treaty, will our peace be as safe as if we execute it with good faith? . . .

Are the Posts to remain forever in the possession of Great-Britain? Let those who reject them, when the Treaty offers them to our hands, say, if they chuse, they are of no importance. If they are, will they take them by force? The argument I am urging would then come to a point. To use force is war. To talk of Treaty again is too absurd. Posts and redress must come from voluntary good will, Treaty or war.

The conclusion is plain, if the state of peace shall continue, so will the British possession of the posts.

Look again at this state of things: On the sea coast, vast losses uncompensated; on the frontier, Indian war, actual encroachment on our territory. Every where discontent, resentments tenfold more fierce because they will be impotent and humbled. National discord and abasement.

The disputes of the old treaty of 1783, being left to rankle, will revive the almost extinguished animosities of that period. Wars in all countries, and most of all in such as are free, arise from the impetuosity of the public feelings. . . . War might perhaps be delayed, but could not be prevented. The causes of it would remain, would be aggravated, would be multiplied, and soon become intolerable. More captures, more impressments would swell the list of our wrongs, and the current of our rage. . . .

Will our government be able to temper and restrain the turbulence of such a crisis? The government, alas, will be in no capacity to govern. A divided people, and divided councils! Shall we cherish the spirit of peace, or shew the energies of war? Shall we make our adversary afraid of our strength, or dispose him, by the measures of resentment and broken faith, to respect our rights? Do gentlemen rely on the state of peace because both nations will be worse disposed to keep it? Because injuries, and insults still harder to endure, will be mutually offered.

Such a state of things will exist, if we should long avoid war, as will be worse than war. Peace without security, accumulation of injury without redress, or the hope of it, resentment against the aggressor, contempt for ourselves, intestine discord, and anarchy. . . . Is this the station of American dignity which the high-spirited champions of our national independence and honor could endure — nay, which they are

anxious and almost violent to seize for the country? What is there in the treaty that could humble us so low? Are they the men to swallow their resentments, who so lately were choaking with them? If in the case contemplated by them, it should be peace, I do not hesitate to declare it ought not to be peace. . . .

LET me cheer the mind, weary no doubt and ready to despond on this prospect, by presenting another which it is yet in our power to realise. Is it possible for a real American to look at the prosperity of this country without some desire for its continuance, without some respect for the measures which, many will say, produced, and all will confess have preserved it? . . . The great interest and the general desire of our people was to enjoy the advantages of neutrality. This instrument, however misrepresented, affords America that inestimable security. The causes of our disputes are either cut up by the roots, or referred to a new negociation, after the end of the European war. This was gaining every thing, because it confirmed our neutrality, by which our citizens are gaining every thing. This alone would justify the engagements of the government. For, when the fiery vapors of the war lowered in the skirts of our horizon, all our wishes were concentered in this one, that we might escape the desolation of the storm. This treaty, like a rainbow on the edge of the cloud, marked to our eyes the space where it was raging, and afforded at the same time the sure prognostic of fair weather. If we reject it, the vivid colours will grow pale, it will be a baleful meteor portending tempest and war.

[Fisher] Ames, *Speech in support of the Motion: Resolved, That it is expedient to pass the Laws necessary to carry into effect the Treaty between the United States and Great-Britain*, April 28, 1796 (Boston, [1796]), 17–50 *passim*.

98. "Adams and Liberty" (1798)

BY THOMAS PAINE

This song is characteristic of those which flooded the country when war with France was imminent. Paine was a member of the Massachusetts family, and in 1801 the legislature of Massachusetts granted him permission to change his name to Robert Treat Paine. This was done that he might not be confused with the author of the *Rights of Man* (see above, Nos. 42, 50), whose doctrines were very obnoxious to the feelings of orthodox, federalistic New England. — Bibliography as in No. 93 above.

YE sons of Columbia, who bravely have fought,
For those rights, which unstained from your Sires had descended,

May you long taste the blessings your valour has bought,
And your sons reap the soil which their fathers defended.
'Mid the reign of mild Peace,
May your nation increase,
With the glory of Rome, and the wisdom of Greece;
And ne'er shall the sons of Columbia be slaves,
While the earth bears a plant, or the sea rolls its waves.

In a clime, whose rich vales feed the marts of the world,
Whose shores are unshaken by Europe's commotion,
The trident of Commerce should never be hurled,
To incense the legitimate powers of the ocean.
But should pirates invade,
Though in thunder arrayed,
Let your cannon declare the free charter of trade.
For ne'er shall the sons, &c.

The fame of our arms, of our laws the mild sway,
Had justly ennobled our nation in story,
'Till the dark clouds of faction obscured our young day,
And enveloped the sun of American glory.
But let traitors be told,
Who their country have sold,
And bartered their god for his image in gold,
That ne'er will the sons, &c.

While France her huge limbs bathes recumbent in blood,
And Society's base threats with wide dissolution;
May Peace like the dove, who returned from the flood,
Find an ark of abode in our mild constitution.
But though Peace is our aim,
Yet the boon we disclaim,
If bought by our Sov'reignty, Justice or Fame.
For ne'er shall the sons, &c.

'Tis the fire of the flint, each American warms.
Let Rome's haughty victors beware of collision,
Let them bring all the vassals of Europe in arms,
We're a world by ourselves, and disdain a division.
While with patriot pride,
To our laws we're allied,

No foe can subdue us, no faction divide.
For ne'er shall the sons, &c.

Our mountains are crowned with imperial oak;
Whose roots, like our liberties, ages have nourished;
But long e'er our nation submits to the yoke,
Not a tree shall be left on the field where it flourished.
Should invasion impend,
Every grove would descend,
From the hill-tops, they shaded, our shores to defend.
For ne'er shall the sons, &c.

Let our patriots destroy Anarch's pestilent worm;
Lest our Liberty's growth should be checked by corrosion;
Then let clouds thicken round us; we heed not the storm;
Our realm fears no shock, but the earth's own explosion.
Foes assail us in vain,
Though their fleets bridge the main,
For our altars and laws with our lives we'll maintain.
For ne'er shall the sons, &c.

Should the Tempest of War overshadow our land,
Its bolts could ne'er rend Freedom's temple asunder;
For, unmoved, at its portal, would Washington stand,
And repulse, with his Breast, the assaults of the thunder!
His sword, from the sleep
Of its scabbard would leap,
And conduct, with its point, ev'ry flash to the deep!
For ne'er shall the sons, &c.

Let Fame to the world sound America's voice;
No intrigues can her sons from their government sever;
Her pride is her Adams; her laws are his choice,
And shall flourish, till Liberty slumbers for ever.
Then unite heart and hand,
Like Leonidas' band,
And swear to the God of the ocean and land;
That ne'er shall the sons of Columbia be slaves,
While the earth bears a plant, or the sea rolls its waves.

Robert Treat Paine, Jr., *Works in Verse and Prose* ([edited by Charles Prentiss], Boston, 1812), 245–247.

CHAPTER XV — FALL OF THE FEDERALISTS

99. "The X. Y. Z. Correspondence" (1797–1798)

BY ENVOYS CHARLES COTESWORTH PINCKNEY, JOHN MARSHALL, AND ELBRIDGE GERRY

After the French Directory had refused to receive Pinckney as the American minister, President Adams appointed three commissioners to reëstablish amity. Their mission also was unsuccessful, and war, in everything but name, resulted. The details of their reception, displaying one of the most singular incidents in American diplomacy, are given in the following letters to Pickering, the secretary of state. — For Gerry and Pinckney, see P. L. Ford, *Bibliography and Reference List of the Constitution*, 53, 55. — For Marshall, see Winsor, *Narrative and Critical History*, VII, 313. — Bibliography: Channing and Hart, *Guide*, § 164.

IN the morning of October the 18th [1797], Mr. W. . . . called on General Pinckney and informed him that a Mr. X. . . . was a gentleman of considerable credit and reputation . . . and that we might place great reliance on him.

In the evening of the same day, Mr. X. called on General Pinckney, and . . . whispered him that he had a message from M. Talleyrand to communicate when he was at leisure. . . . General Pinckney said he should be glad to hear it. M. X. replied that the Directory, and particularly two of the members of it, were exceedingly irritated at some passages of the President's speech, and desired that they should be softened; and that this step would be necessary previous to our reception. That, besides this, a sum of money was required for the pocket of the Directory and ministers, which would be at the disposal of M. Talleyrand; and that a loan would also be insisted on. M. X. said if we acceded to these measures, M. Talleyrand had no doubt that all our differences with France might be accommodated. On inquiry, M. X. could not point out the particular passages of the speech that had given offence, nor the quantum of the loan, but mentioned that the douceur for the pocket was twelve hundred thousand livres, about fifty thousand pounds sterling. . . . He said his communication was not immediately

with M. Talleyrand, but through another gentleman in whom M. Talleyrand had great confidence. This proved afterwards to be M. Y.

. . . on the morning of the 20th, M. X. called, and said that M. Y., the confidential friend of M. Talleyrand, instead of communicating with us through M. X. would see us himself and make the necessary explanations. . . . At seven, M. Y. and M. X. entered; and the first mentioned gentleman . . . stated to us . . . That . . . the Directory . . . were . . . extremely irritated against the Government of the United States, on account of some parts of the President's speech, and . . . had neither acknowledged nor received us, and consequently have not authorized M. Talleyrand to have any communications with us. The minister therefore could not see us himself, but had authorized his friend M. Y. to communicate to us certain propositions, and to receive our answers to them . . . M. Y. stated to us, explicitly and repeatedly, that he was clothed with no authority; that he was not a diplomatic character; that . . . he was only the friend of M. Talleyrand, and trusted by him . . .

October the 21st . . . After breakfast the subject was immediately resumed. . . . We required an explanation of that part of the conversation, in which M. Y. had hinted at our finding means to avert the demand concerning the President's speech. He answered, that he was not authorized to state those means, but that we must search for them and propose them ourselves. If, however, we asked his opinion as a private individual, and would receive it as coming from him, he would suggest to us the means which, in his opinion, would succeed. On being asked to suggest the means, he answered, money; that the Directory were jealous of its own honor and of the honor of the nation; that it insisted on receiving from us the same respect with which we had treated the King; that this honor must be maintained in the manner before required, unless we substituted, in the place of those reparations, something, perhaps, more valuable, that was money. He said further, that if we desired him to point out the sum which he believed would be satisfactory, he would do so. We requested him to proceed; and he said that there were thirty-two millions of florins, of Dutch inscriptions, worth ten shillings in the pound, which might be assigned to us at twenty shillings in the pound; and he proceeded to state to us the certainty that, after a peace, the Dutch Government would repay us the money; so that we should ultimately lose nothing, and the only operation of the measure would be, an advance from us to France of thirty-

two millions, on the credit of the Government of Holland. We asked him whether the fifty thousand pounds sterling, as a douceur to the Directory, must be in addition to this sum. He answered in the affirmative. . . .

We committed immediately to writing the answer we proposed, in the following words: "Our powers respecting a treaty are ample; but the proposition of a loan, in the form of Dutch inscriptions, or in any other form, is not within the limits of our instructions; upon this point, therefore, the Government must be consulted; one of the American ministers will, for the purpose, forthwith embark for America; provided the Directory will suspend all further captures on American vessels, and will suspend proceedings on those already captured, as well where they have been already condemned, as where the decisions have not yet been rendered; and that where sales have been made, but the money not yet received by the captors, it shall not be paid until the preliminary questions, proposed to the ministers of the United States, be discussed and decided:" which was read as a verbal answer; and we told them they might copy it if they pleased. M. Y. refused to do so; his disappointment was apparent; he said we treated the money part of the proposition as if it had proceeded from the Directory; whereas, in fact, it did not proceed even from the minister, but was only a suggestion from himself, as a substitute to be proposed by us, it order to avoid the painful acknowledgment that the Directory had determined to demand of us. It was told him that we understood that matter perfectly; that we knew the proposition was in form to be ours; but that it came substantially from the minister. . . .

. . . On the 22d of October, M. Z. a French gentleman of respectable character, informed Mr. Gerry, that M. Talleyrand, Minister of Foreign Relations, who professed to be well disposed towards the United States, had expected to have seen the American ministers frequently in their private capacities . . . General Pinckney and General Marshall expressed their opinions . . . that, according to the custom of France, he might expect this of Mr. Gerry, from a previous acquaintance in America. This Mr. Gerry reluctantly complied with on the 23d, and with M. Z. called on M. Talleyrand . . . After the first introduction, M. Talleyrand began the conference. He said that the Directory had passed an arrêt, which he offered for perusal, in which they had demanded of the envoys an explanation of some parts, and a reparation for others, of the President's speech to Congress, of the 16th of May last: he was

sensible, he said, that difficulties would exist on the part of the envoys relative to this demand; but that by their offering money, he thought he could prevent the effect of the arrêt. . . . Mr. Gerry then addressed M. Talleyrand distinctly in English, which he said he understood, and stated, that the uneasiness of the Directory resulting from the President's speech was a subject unconnected with the objects of the mission: that M. Barras, in his speech to Mr. Monroe, on his recall, had expressed himself in a manner displeasing to the Government and citizens of the United States; that the President, as the envoys conceived, had made such observations on M. Barras's speech as were necessary to vindicate the honor of the United States; that this was not considered by our Government as a subject of dispute between the two nations; that having no instructions respecting it, we could not make any explanations or reparations relating to it . . . M. Talleyrand, in answer said . . . that this matter about the money must be settled directly, without sending to America; that he would not communicate the arrêt for a week; and that if we could adjust the difficulty respecting the speech, an application would nevertheless go to the United States for a loan. . . .

[October 29.] M. X. again called on us. . . .

The sum of his proposition was, that if we would pay, by way of fees, (that was his expression) the sum of money demanded for private use, the Directory would not receive us: but would permit us to remain at Paris as we now were; and we should be received by M. Talleyrand, until one of us could go to America and consult our Government on the subject of the loan. . . .

. . . we had no reason to believe that a possible benefit could result from it; and we desired him to say that we would not give a shilling, unless American property unjustly captured was previously restored, and further hostilities suspended; and that unless this was done, we did not conceive that we could even consult our Government concerning a loan; that if the Directory would receive us and commence negotiations, and any thing occurred which rendered a consultation of the Government necessary, one of us would return to America for that purpose. He said that without this money we should be obliged to quit Paris; and that we ought to consider the consequences: the property of the Americans would be confiscated, and their vessels in port embargoed. . . .

[November 1.] It was at length agreed that we should hold no more indirect intercourse with the Government. . . .

[March 9, 1798.] . . . Still being anxious to hear explicitly from

Mr. Talleyrand himself, before we sent our final letter, whether there were no means within our powers of accommodating our differences with France on just and reasonable grounds, we wrote to him . . . soliciting a personal interview on the subject of our mission: he appointed the 2d of March following. . . .

At three o'clock we waited on . . . him. . . . He said that the original favorable disposition of the Directory had been a good deal altered by the coldness and distance which we had observed; that, instead of seeing him often, and endeavoring to remove the obstacles to a mutual approach, we had not once waited on him. . . . He . . . said . . . that the Directory felt itself wounded by the different speeches of Mr. Washington and Mr. Adams, which he had stated, and would require some proof, on the part of the United States, of a friendly disposition, previous to a treaty with us. . . . he alluded very intelligibly to a loan. . . . He said he must exact from us, on the part of his Government, some proposition of this sort; that, to prove our friendship, there must be some immediate aid, or something which might avail them; that the principles of reciprocity would require it. . . . this once done, he said the adjustment of complaints would be easy; that would be matter of inquiry; and if France had done us wrong, it would be repaired: but that if this was refused, it would increase the distance and coldness between the two republics. . . .

We requested of Mr. Talleyrand another interview . . . on the 6th instant. He answered that he would receive us . . .

Immediately after our arrival at his office . . . General Pinckney stated that we had considered, with the most serious attention, the conversation we had had the honor of holding with him a few days past; that the propositions he had suggested appeared to us to be substantially the same with those which had been made by Mr. X. by Mr. Y. and also to Mr. Gerry, with an intention that they should be communicated to his colleagues; that we considered it as a proposition that the United States should furnish aid to France, to be used during the present war; that, though it was unusual to disclose instructions, yet we would declare to him that, in addition to its being a measure amounting to a declaration of war against Great Britain, we were expressly forbidden by our instructions to take such a step.

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), II, 158–187 *passim.*

100. "Hail Columbia" (1798)

BY JOSEPH HOPKINSON

Hopkinson, son of Francis Hopkinson, a signer of the Declaration of Independence (see *Contemporaries*, II, No. 96), was a rising young lawyer in Philadelphia when he wrote this song. Later he became a prominent jurist. Of the many songs written at that time this is almost the only one that is still sung. — For Hopkinson, see *Hunt's Merchants' Magazine*, VII, 397–415. — For the circumstances of the composition and first rendering of the piece, see McMaster, *History of the United States*, II, 377–380; *Historical Magazine*, V, 280–282.

HAIL Columbia! happy land,
Hail ye Heroes, heav'n born band,
Who fought and bled in Freedom's cause,
Who fought and bled in Freedom's cause,
And when the Storm of War was gone,
Enjoy'd the Peace your Valour won,
Let Independence be our boast,
Ever mindful what it cost;
Ever grateful for the prize,
Let its altar reach the skies —
Firm — United let us be,
Rallying round our Liberty,
As a band of brothers join'd,
Peace and Safety we shall find.

Immortal Patriots! rise once more,
Defend your Rights — defend your shore;
Let no rude foe with impious hand,
Let no rude foe with impious hand,
Invade the shrine where sacred lies,
Of toil and blood the well-earn'd prize.
While offering Peace, sincere and just,
In Heav'n we place a manly trust,
That truth and justice will prevail,
And every scheme of bondage fail —
Firm — United let us be,
Rallying round our liberty,
As a band of Brothers join'd,
Peace and safety we shall find.

Sound, sound, the trump of fame,
Let Washington's great name,
Ring through the world with loud applause,
Ring through the world with loud applause,
Let every clime to Freedom dear,
Listen with a joyful ear—
With equal skill with godlike pow'r,
He governs in the fearful hour
Of horrid war, or guides with ease,
The happier times of honest peace,
Firm — United let us be,
Rallying round our Liberty,
As a Band of Brothers join'd,
Peace and Safety we shall find.

Behold the Chief who now commands,
Once more, to serve his country, stands
The Rock on which the Storm will beat,
The Rock on which the Storm will beat,
But arm'd in virtue, firm and true,
His hopes are fix'd on Heav'n and you —
When Hope was sinking in dismay,
When glooms obscur'd Columbia's day;
His steady mind from changes free,
Resolv'd on Death or Liberty —
Firm — United let us be,
Rallying round our Liberty,
As a Band of Brothers join'd,
Peace and Safety we shall find.

[Charles] Dibdin, *A Collection of Songs* (Philadelphia, 1799), 313–314.

101. Northern Opinion of the Virginia Resolutions (1798)

FROM THE COUNTRY PORCUPINE

The Virginia and Kentucky Resolutions were the first formal declaration of states' rights. They voiced the opposition to the Alien and Sedition Acts; but the other states were not ready for such an extreme remonstrance, and none of them responded concurrently. William Cobbett, whose pen-name was Peter Porcupine, was the probable author of this criticism of the resolutions. He was an Englishman, residing temporarily in the United States. His style was keenly satirical and he wrote with much asperity against the Democratic-Republicans and their measures. — Bibliography: Channing and Hart, *Guide*, § 165.

ONE Taylor (I believe his name is John) has brought forward a Resolution, in the Legislature of Virginia, which, I think, is at once the most foolish and the most impudent that I ever read or heard of.

It sets out with declaring the firm resolution of the General Assembly "*to maintain and defend the Constitution of the United States.*" In the next *stave*, the Assembly solemnly declare their "*warm attachment to the union of the States.*" In stave the 3d they peremptorily declare, that, in case the Federal Government step beyond the powers granted to it by the compact with the individual states, "*the states, who are parties thereto, have the* RIGHT, *and are in* DUTY *bound to interpose for arresting the progress of the evil.*"

Having thus drawn up a declaration of their *Rights of Man*, they proceed at once to the exercise of them. They assert, in stave 4th, that the Federal Government has indicated a design "*to consolidate the states, by degrees, into one Sovereignty, the inevitable result of which would be, to transform the present republican system of the United States into an* ABSOLUTE, *or, at best, a* MIXED MONARCHY."

As a proof that such is the design of the Federal Government, they cite (in stave 5th 6th, and 7th) the "alarming" instance of the ALIEN and SEDITION bills; and, in virtue of their above mentioned RIGHTS OF MAN, *they* "*declare the said acts to be unconsti*[*tuti*]*onal and* NOT LAW."

These seditious declarations are followed by a resolution to desire the Governor to transmit a copy of them to the Legislatures of all the other states, in order to obtain their concurrence therein.

Observe, that no *decision* had taken place on the resolution, when the last papers came away; but from the characters of those who sit in the

assembly of that *infatuated state*, there is every reason to suppose, that the seditious party will prevail, and the *Ancient Dominion* will once more be exposed to the contempt of all the other states. She may drag her two chickens, *Kentucky* and *Tennessee*, along with her; but every where else she will meet with the same scornful reception that so humbled her in the years 1795, and 1796.

This step on the part of the Virginians admits of no excuse; but, when they pretend to be actuated by an anxiety to preserve *liberty*, who can help despising them? They actuated by *a love of liberty!* They who live on the sweat of *slaves*; and who buy and sell those slaves with as little ceremony as the Pennsylvanians do hogs or sheep!!!

If these fellows be sincere; if they really wish to be guided by the *Constitution of the United States*, as they solemnly declare they do; if all their pompous declarations on this subject be not mere sound, I will point out to them a passage of that constitution, by an adherence to which they will render their sincerity conspicuous, without any opposition to the Federal Government, and without running the risk of a disdainful rebuff from the other states.

The passage I allude to I am surprised they should have overlooked, because it is placed at the very beginning of the instrument for which they profess as high, and as sincere, a veneration as Buonaparte did for the KORAN. It is this: — "*We hold these truths to be* SELF-EVIDENT — *that all* MEN *are created* EQUAL; *that they are endowed by their Creator with certain* UNAL[I]ENABLE RIGHTS. *That, amongst these, are, life,* LIBERTY, *and the pursuit of happiness.*"

Now, are not negroes *men?* And, is it not notorious that the laws of Virginia hold about half a million of these men in abject *Slavery;* that the *lives* of these men are in a great measure at the disposal of their drivers; that they are bought, sold, and bartered like beasts, and that not a single soul of them is suffered to *pursue his happiness?* And, is it not a shame; is it not a scandal and a reproach to the American nation, to hear the legislators of this States [State] of Slaves talk about their attachment to the Constitution and their anxiety to preserve the *liberty* of their fellow men?

The last time the Virginians requested the concurrence of the other states, in an attack on the Federal Government, I remember that the Senate of Pennsylvania told them, that they had better let the Federal Government alone, and employ their leisure time *in passing laws for the payment of their just debts and for emancipating their slaves.* Such I

hope, will be the answer they will receive this time, if they should persist in sending forth their seditious propositions.

Country Porcupine [Philadelphia], December 26, 1798.

102. The National Capitol (1800)

BY MRS. ABIGAIL ADAMS

Mrs. Adams was the wife of the president. Washington became the seat of the national government near the close of Adams's administration; it consisted at that time of a number of half-finished buildings scattered in the midst of a wilderness. This letter was written to her daughter, Mrs. W. S. Smith. — For Mrs. Adams, see *Contemporaries*, II, No. 192. — Bibliography: A. P. C. Griffin, *Index of American Local History* (Boston Public Library, *Bibliographies*, No. 3), 168; Winsor, *Narrative and Critical History*, VII, 330.

Washington, 21 November, 1800.

. . . I ARRIVED here on Sunday last, and without meeting with any accident worth noticing, except losing ourselves when we left Baltimore, and going eight or nine miles on the Frederick road, by which means we were obliged to go the other eight through woods, where we wandered two hours without finding a guide, or the path. Fortunately, a straggling black came up with us, and we engaged him as a guide, to extricate us out of our difficulty; but woods are all you see, from Baltimore until you reach *the city*, which is only so in name. Here and there is a small cot, without a glass window, interspersed amongst the forests, through which you travel miles without seeing any human being. In the city there are buildings enough, if they were compact and finished, to accommodate Congress and those attached to it; but as they are, and scattered as they are, I see no great comfort for them. The river, which runs up to Alexandria, is in full view of my window, and I see the vessels as they pass and repass. The house is upon a grand and superb scale, requiring about thirty servants to attend and keep the apartments in proper order, and perform the ordinary business of the house and stables; an establishment very well proportioned to the President's salary. The lighting the apartments, from the kitchen to parlours and chambers, is a tax indeed; and the fires we are obliged to keep to secure us from daily agues is another very cheering comfort. To assist us in this great castle, and render less attendance necessary, bells are wholly wanting, not one single one being hung through the whole house, and promises are all you can obtain. This is so great an incon-

venience, that I know not what to do, or how to do. The ladies from Georgetown and in the city have many of them visited me. Yesterday I returned fifteen visits, — but such a place as Georgetown appears, — why, our Milton is beautiful. But no comparisons; — if they will put me up some bells, and let me have wood enough to keep fires, I design to be pleased. I could content myself almost anywhere three months; but, surrounded with forests, can you believe that wood is not to be had, because people cannot be found to cut and cart it! Briesler entered into a contract with a man to supply him with wood. A small part, a few cords only, has he been able to get. Most of that was expended to dry the walls of the house before we came in, and yesterday the man told him it was impossible for him to procure it to be cut and carted. He has had recourse to coals; but we cannot get grates made and set. We have, indeed, come into *a new country*.

You must keep all this to yourself, and, when asked how I like it, say that I write you the situation is beautiful, which is true. The house is made habitable, but there is not a single apartment finished, and all withinside, except the plastering, has been done since Briesler came. We have not the least fence, yard, or other convenience, without, and the great unfinished audience-room I make a drying-room of, to hang up the clothes in. The principal stairs are not up, and will not be this winter. Six chambers are made comfortable; two are occupied by the President and Mr. Shaw; two lower rooms, one for a common parlour, and one for a levee-room. Up stairs there is the oval room, which is designed for the drawingroom, and has the crimson furniture in it. It is a very handsome room now; but, when completed, it will be beautiful. If the twelve years, in which this place has been considered as the future seat of government, had been improved, as they would have been if in New England, very many of the present inconveniences would have been removed. It is a beautiful spot, capable of every improvement, and, the more I view it, the more I am delighted with it.

Since I sat down to write, I have been called down to a servant from Mount Vernon, with a billet from Major Custis, and a haunch of venison, and a kind, congratulatory letter from Mrs. Lewis, upon my arrival in the city, with Mrs. Washington's love, inviting me to Mount Vernon, where, health permitting, I will go, before I leave this place.

The Senate is much behind-hand. No Congress has yet been made. 'T is said —— —— is on his way, but travels with so many delicacies in his rear, that he cannot get on fast, lest some of them should suffer.

Thomas comes in and says a House is made; so to-morrow, though Saturday, the President will meet them. Adieu, my dear. Give my love to your brother, and tell him he is ever present upon my mind.

Mrs. [Abigail] Adams, *Letters* (edited by Charles Francis Adams, Boston, 1840), II, 239–242.

103. How Jefferson was Elected (1800)

BY SENATOR CHARLES PINCKNEY

Pinckney was a delegate to the Federal Convention of 1787, later governor of South Carolina, United States senator, minister to Spain, and member of the national House of Representatives. He was an enthusiastic supporter of Jefferson in 1800, although his cousin, Charles C. Pinckney, was the Federal candidate for vice-president. This extract is from letters written to Jefferson. — For Pinckney, see No. 63 above. — Bibliography: Channing and Hart, *Guide*, § 166.

October 12: 1800

. . . I WISH to know how things will go, in Maryland and Pennsylvania and Delaware and Jersey. the influence of the officers of the Government and of the Banks and of the British and Mercantile Interest will be very powerful in Charleston. I think we shall in the City as Usual; loose $\frac{2}{3}^{ds}$ of the representation, but the City has generally not much influence at Columbia. our Country Republican Interest has always been very strong, and I have no doubt will be so now. I have done every thing to strengthen it and mean to go to Columbia to be at the Election of Electors. the *24* numbers of *the Republican* which I have written have been sent on to you, and I trust you have received and approved them. they are written in much moderation and have been circulated as much as possible. so has the *little Republican Farmer* I shewed you in Philadelphia and which has been reprinted in all our *Southern States*. with these and my Speeches on Juries, Judges, Ross' Bill the Intercourse Bill and the Liberty of the Press, we have Literally sprinkled Georgia and N^{o} Carolina *from the Mountains to the Ocean*. Georgia will be *Unanimous*, North Carolina 8 or 9, Tennessee Unanimous, and I am hopefull we shall also. . . .

[October 16.] Since the within written we have had the election for Charleston, which by dint of the Bank and federal Interest, is reported by the Managers to be against us 11 to 4 — that is the federalists are reported to have 11 out of 15 the number for the City representation.

many of our Members run within 28 and 30 and 40 and we think we get *four* in — I believe 5. to shew you what has been the Contest and the abuse I have been obliged to Bear, I inclose you some of the last days Publications. I suppose this unexpected opposition to *my Kinsman* who has never been opposed here before as *member for the City*, will sever and divide me from him and his Brother forever, for the federalists all charge me with being the *sole cause* of any opposition, in this State, where all our intel[li]gence from the Country convinces me, we shall have a *decided majority* in our Legislature. . . . I never before this knew the full extent of the federal Interest connected with the British and the aid of the Banks and the federal Treasury, and all their officers. they have endeavored to Shake *Republicanism in South Carolina* to its foundations, but we have resisted it firmly and I trust successfully. our Country Interest out of the reach of Banks and Custom Houses and federal officers is I think as pure as ever. I rejoice our Legislature meets 130 or 40 Miles from the Sea. As much as I have been accustomed to Politics and to Study mankind this Election in Charleston has opened to me a new view of things. never certainly was such an Election in America. we mean to contest it for 8 or 9 of the 15. it is said several Hundred more Voted than paid taxes. *the Lame, Crippled, diseased and blind were either led, lifted or brought in Carriages to the Poll.* the sacred right of Ballot was struck at, for at a late hour, when too late to counteract it, in order to know how men, who were supposed to be under the influence of Banks and federal officers and English Merchants, Voted, and that they might be Watched to know whether they Voted as they were directed, the Novel and Unwarrantable measure was used of Voting with tickets printed *on Green and blue and red and yellow paper* and Men stationed to watch the Votes. The Contest lasted several days and Nights . . .

. . . I congratulate you most sincerely on the Change in Maryland and the probable one in North CaroLina and Rhode Island. In this State I have no doubt nor ever had. . . .

[October 26.] . . . I have just got a Letter from M^r^ Dawson confirming from the authority of M^r^ Burr the —— business of Rhode Island. is it possible? can good come out of Galilee? . . .

[November 22.] I have just received your favour after an interval since its date of nearly one Month. I am to particularly regret Your not recieving my communications as I wanted some facts from you to aid me in the very delicate and arduous struggle I have in this state. find-

ing from my intelligence that the Pennsylvania Senate intended to contend for a concurrent vote in the choice of Electors and thus to shield themselves under a pretended affection for the rights of their branch from the popular odium I very early percieved that the choice of a President would in a great measure depend upon this States Vote. I therefore very assiduously have attended to this Object since June and now wait the Issue which is to be decided on on Tuesday next. my anxiety on this subject is very much increased by a Letter I have received from Governour Monroe in answer to one I wrote him on the subject. he seems to think with me that our state must decide it and that Pennsylvania is very uncertain. . . . Urged by those principles it is my duty never to forsake and well convinced that the Election depends on this State I have taken post with some valuable friends at CoLumbia where our legislature meet and are now in Session and here I mean to remain until the thing is settled. I am told I am to be personally insulted for being here while I ought to be in Washington and that a Motion will be made expressing the opinion of one of the Branches that all their Members ought to be present at the discussion of the French Treaty. But I who know that the Presidents Election is of more consequence than any Treaty and who feel my presence here to be critically important, mean to remain and my friends with You who know the reason will readily excuse my absence. To weaken the federal Party in our Legislature which is stronger than I ever knew it an attempt is made to set aside the Charleston Election and I have suggested a new idea to the Petitioners which is to suspend the sitting members immediately from their seats. . . . Whether they vote or not I think we shall carry the Election and the Moment it is decided I will write You. my situation here is peculiarly delicate and singular. I am the *only member* of Congress of either side present and the federalists view me with a very jealous Eye. . . .

December 2: 1800 The Election is just finished and We Have, Thanks to Heaven's Goodness, carried it. . . .

[December 20.] . . . it is with great concern I have just heard that my fears on the Rhode Island head were too well founded. I was always afraid that much good could not come out of either Nazareth or Galilee and I find I was right. New England is New England *still* and unless an earthquake could remove them and give them about ten degrees of our southern sun in their constitutions they will always remain so. You may as well attempt to separate the Barnacle from the

Oyster, or a body of Caledonians as to divide New England— not so our southern Gentry. View MaryLand and North Carolina and tell me by what Policy can it be, that We have lost so many Votes from states who ought to cling to the southern republican interest as to the rock of their *earthly* salvation — states too with whom so much pains have been taken to direct them in the right road. . . .

[January 24, 1801.] . . . I write . . . to mention that having seen in the Northern papers an account that a compromise was offered and rejected by the Federalists I do positively deny that any such compromise was offered by the body of the republican interest or ever intended by them. if any thing ever was said on that subject it must have been by some one or two of our friends who might have been very anxious to secure Your Election and would rather compromise than risque it, but if even one did whisper such a thing it was *wholly unknown* to me, or to the great Body of republican interest, for they were determined from the Jump never to hear of any compromise, and so far from thinking of it they met at the academy hall in CoLumbia the very first Night of the Session and near seventy of them signed a Paper and determined not to compromise but to support the Ticket of the republican interest as it was run and carried. . . .

South Carolina in the Presidential Election of 1800, in *American Historical Review* (New York, etc., 1899), IV, 113–128 *passim*.

104. Political Comments (1795–1801)

BY DOCTOR NATHANIEL AMES

Ames was a physician in Dedham, Massachusetts, and an elder brother of Fisher Ames (see No. 97 above). The extracts are introduced to show how political affairs struck a partisan, and also to give an example of the diary as a source of history. — For Ames, see *Contemporaries*, II, No. 95. — Bibliography: Channing and Hart, *Guide*, §§ 162, 164–166.

[March] 31 [1795] TO the glorious success of the French Republic against the British combin'd Powers, not the Justice or moderation of England or the Merits of our Envoy are we indebted for our continuance in peace with the insolent English. . . .

[August] 14 The President Washington ratified the Treaty with Britain & Hammond the British minister here immediately sail'd for

England. Washington now defies the whole Sovreign that made him what he is—and can unmake him again. Better his hand had been cut off when his glory was at its height before he blasted all his Laurels! . . .

[May 2, 1796] The Treaty fish swallowed Tail foremost! by Congress. The President is a Rebel against Gen[l] Washington & United States. . . .

[June] 9 Federal Government become near as arbitrary as any European, the worst Tories & Conspirators with English caressed. . . .

[November] 4 The Prigarchy straining every nerve to carry Election. . . .

[December] At end of year after violent conflict between partizans for French & Britons thro' United States to get President & Vice President it is confidently affirmed that Adams an aristocratic Lawyer in favor of British Dignities manners & Government will be President—And Jefferson late Gov. of Virginia a firm supporter of the Rights of Man & admirer of the French Revolution will be Vice President, which I hope will introduce him to be finally President & prevent a threatened War with France that gave no power to choose President & form of Govern[t]!!! . . .

[March] 28 [1798] An infamous Gallomania seiz'd the cocadoodle doo Gov[t]. . . .

[April] 3 Towns in their primary assemblies of the sovreign people remonstrating to Congress against War with France! While the British Junto are crowing against France, lying & deluding farmers. . . .

[June] 7 All Connexion with the French forbid by Traitors in Congress who carried a Law. . . .

[July] 1 Stamp Act, cram'd down by imps of Britain. . . .

3 War against France in effect, contrary to wish of Landlords. . . .

[December] 27. Gov. Ja[s] Garrard's speech & Resolves of Kentucky Legisl[e] in Chronicle this day masterly, sovreign & pertinent lashing of Tiptoe Traitors in Congress. . . .

. . . The free spirited Resolves of Kentucky & Virgin[a] with truth flashing thro' clouds of Aristocrat delusion have begun to stagger the people at the Westward who have been made to foam with rage against the French their benefact[rs] It is amazing to see the apathy of the People under worse usurpation than that which once excited them to war—Now they can patiently see the Omnipotence of the British Parliament transfer'd to Congress usurping all State Jurisdiction retain'd by the Sovreign People in State government.

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But now all foreign insults & aggression are absorb'd & sunk in the view of those at home.

It is astonishing to consider the mean servility to which a War party in this Country can stoop in favor of Britain against our benefactors the French. . . .

Now because D^r Logan has lately been to France & has done more than the President with all his tiptoe Envoys to avert war with sister Republic & it is suspected that Jefferson privately sent him, it inexpressibly mortifies administration, & the War party to loose the honor heap'd on Jefferson & Logan. for their adroitness in extricating the Country from such expense of blood & treasure while the people bless them, the Lawyers & seekers of office are trying to blast them, but now the people of Philadelphia have compleated Logan's triumph by electing him into the House of Rep's of Pennsylvania—& e'er long I expect he will be raised higher, if civil War don't take place! . . .

[January] 23 [1799]. Call^d on by Neh^h Fales for dimensions of my house & windows & list of land for Direct tax of High Fed^s tyrant Gov^t —— I introduce it thus.

Nat Ames (regretting the short dawn of rational Liberty under the Confederation — deploring the blindness and apathy of that People who once dared to defy and trample on the minions of foreign tyrants, only to be trampled on by domestic traitors, in impudent junto breaking the limits of their Sovreign — greeted with the tyrant songs of "Energy of Govern^t. Tighten the reins of Govern^t," only to stifle the cheering sound of the great Sovreign's voice — forc'd to yield, — instead of Law to the mighty powers that be) exhibits this list & description of his house & land on the first day of October 1798 . . .

[June] 3. Standard & beating for Army in peace. Capt. Tolman & L^t Gardner here on recruiting service in time of peace. . . .

[July] 4. The Corpse of our Independence gain'd sword in hand still worshiped in comic form. . . .

[April] 9 [1800]. Thomas Cooper an Att'y & man of curious learning who hath published in England fine tracts ethical political &c : before High fed Court at Philadelphia for a true & important Address to his fellow citizens of Northampton County is fined 400 dol. & 6 months prison.

Sundry other prosecutions for sedition & Treason Against Usurpers ! ! ! . . .

[May 16.] J. Adams striving to retrieve popularity by disbanding Army &c. . . .

23. Hot Water insurn ends today by death of Fries, Hainan & Getman to be hang'd — but since they are pardoned. Good deed of Adams to pardon resisters of unconstitutional Acts ! ! . . .

[January, 1801.] The 19th Century begins with a fine clear morning wind at S. W. And the political horizon affords as fine a prospect under the administration of Jefferson and returning intercourse with France & us. With the irresistible propagation of the Rights of Man the eradication of hierarchy, oppression, superstition & tyranny over the world by means of that soul-improving, genius polisher, — that palladium of all our rational joys — the printing press — whose value tho' unknown by the vulgar savage slave cannot be sufficiently appreciated by those who would disdain to fetter the image of God. . . .

[February 28.] The People much gratified in choice of a President more especially as the aristocrats oppos'd by 34 ballots in Congress, their will ! intending by holding out to 4 March to stop the Wheels of govern[t], to have no President if they could not have a monarchist, a case unprovided for by the Constitution. . . .

[March] 4. Bonfires &c : Begin Jefferson's reign.

Edna Frances Calder, *Extracts from the Ames Diary*, in *Dedham Historical Register* (Dedham, 1895–1900), VI, 134–XI, 19 *passim*.

105. Wail of a Federalist Organ (1801)

BY THE COLUMBIAN CENTINEL

The *Columbian Centinel*, issued in Boston, was one of the more sober and steadfast Federal newspapers. — Bibliography : Winsor, *Narrative and Critical History*, VII, 296–297, 309 ; H. C. Lodge, *Life and Letters of George Cabot*.

Monumental Inscription.

"*That life is long which answers Life's great end.*"

YESTERDAY EXPIRED,

Deeply regretted by MILLIONS of grateful Americans,

And by *all* GOOD MEN,

The FEDERAL ADMINISTRATION

Of the

GOVERNMENT of the *United States:*

Animated by
A WASHINGTON, an ADAMS; — a
HAMILTON, KNOX, PICKERING, WOLCOTT, M'HENRY, MARSHALL,
STODDERT and DEXTER.
Æt. 12 years.

Its death was occasioned by the
Secret Arts, and Open Violence,
Of Foreign and Domestic Demagogues:
Notwithstanding its whole Life
Was devoted to the Performance of every Duty
to promote
The UNION, CREDIT, PEACE, PROSPERITY, HONOR, and
FELICITY OF ITS COUNTRY.

At its birth it found
The Union of the States dissolving like a Rope of snow;
It hath left it
Stronger than the Threefold cord.

It found the United States
Bankrupts in Estate and Reputation;
It hath left them
Unbounded in Credit; and respected throughout
the World.
It found the *Treasuries* of the United States and
Individual States *empty;*
It hath left them *full and overflowing.*
It found
All the Evidences of Public Debts worthless as rags;
It hath left them
More valuable than Gold and Silver.

It found
The United States *at war* with the
Indian Nations; —
It hath concluded *Peace* with them all.
It found
The Aboriginals of the soil *inveterate*
enemies of the whites;

It hath exercised towards them *justice* and *generosity*,
And *hath left them fast friends.*
It found
Great-Britain in possession of all
the *Frontier Posts;*
It hath demanded their surrender, and
it leaves them in the possession
of the United States.
It found
The American sea-coast utterly *defenseless;*
It hath left it *fortified.*
It found our *Arsenals* empty; and *Magazines*
decaying;
It hath left them full of *ammunition*
and *warlike Implements.*
It found our country dependent on Foreign Nations
or *engines of defense;*
It hath left
Manufactories of *Cannon* and *Musquets*
in full work.
It found
The American Nation at *War* with
Algiers, Tunis, and *Tripoli;*
It hath
Made *Peace* with them all.
It found
American Freemen in Turkish slavery, where
they had languished in chains for years;
It hath
Ransomed them, and set them free.

It found the war-worn, invalid *Soldier*
starving from want;
Or, like BELISARIUS, *begging his refuse*
meat from door to door;
It hath left
Ample provision for the regular
payment of his *pension.*

It found
The *Commerce* of our country confined
almost to *Coasting Craft;*

It hath left it
Whitening every sea with its canvass, and
cheering every clime with its *stars.*

It found our
Mechanics and *Manufacturers* idle in
the streets for want of employ;
It hath left them
Full of business, prosperous, contented
and happy.
It found
The Yeomanry of the country oppressed with
unequal taxes;—their farms, houses and barns
decaying; their cattle selling at the
sign-posts; and they driven to
desperation and *Rebellion;*
It hath left
Their coffers in cash; their houses in repair;
their barns full; their farms overstocked; and
their produce commanding ready money,
and a high price.
In short—
It found them *poor, indigent Malcontents;*
It hath left them
Wealthy Friends to Order and good Government.

It found
The United States *deeply in debt to*
France and *Holland;*
It hath *paid* ALL *the demands* of the former, and
the principal part of the latter.
It found the Country in a ruinous
Alliance with *France;*
It hath honorably dissolved the connexion,
and set us free.

It found
The United States without a swivel
on float *for their defense;*
It hath left
A NAVY—composed of Thirty-four ships of
war; mounting 918 guns; and manned
by 7350 gallant tars.

It found
The EXPORTS of our country, a mere song, in
value;
It hath left them worth
Above SEVENTY MILLIONS of Dollars per annum.
In one word,
It found AMERICA *disunited, poor, insolvent,*
weak, discontented, and *wretched.*
It hath left HER
United, wealthy, respectable, strong,
happy and *prosperous.*
Let the faithful Historian, in after times,
say these things of its Successor, if it can.
And yet — notwithstanding all these services and
blessings there are found
Many, very many, weak, degenerate Sons,
who lost to virtue, to gratitude,
and patriotism,
Openly exult, that this Administration
is no more.
And that
The "Sun of Federalism is set for ever."
"Oh shame where is thy blush?"

As one Tribute of Gratitude in these Times,
This MONUMENT
Of the Talents and Services of the deceased;
is raised by

March 4th, 1801. The Centinel.

Columbian Centinel (Boston), March 4, 1801.

PART VI

JEFFERSONIAN SUPREMACY

CHAPTER XVI — JEFFERSON DEMOCRACY

106. Jefferson's Principles (1801)

BY PRESIDENT THOMAS JEFFERSON

This inaugural address was the official announcement of the Democratic program, but it was so worded as to call attention to the advantageous conditions of the nation rather than to the triumph of party spirit. — For Jefferson, see No. 10 above. — Bibliography: Channing and Hart, *Guide*, § 167.

Friends and Fellow-Citizens,

CALLED upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled, to express my grateful thanks for the favor with which they have been pleased to look towards me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge, and the weakness of my powers, so justly inspire. A rising nation, spread over a wide and fruitful land, traversing all the seas with the rich productions of their industry, engaged in commerce with nations who feel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye; when I contemplate these transcendent objects, and see the honour, the happiness, and the hopes of this beloved country committed to the issue and the auspices of this day, I shrink from the contemplation and humble myself before the magnitude of the undertaking. Utterly indeed should I despair, did not the presence of many, whom I here see, remind me, that, in the other

high authorities provided by our constitution, I shall find resources of wisdom, of virtue, and of zeal, on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked, amidst the conflicting elements of a troubled world.

During the contest of opinion through which we have past, the animation of discussions and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely, and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the constitution, all will of course arrange themselves under the will of the law, and unite in common efforts for the common good. All too will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression. Let us then, fellow-citizens, unite with one heart and one mind, let us restore to social intercourse that harmony and affection without which liberty, and even life itself, are but dreary things. And let us reflect that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance, as despotic, as wicked, and capable of as bitter and bloody persecutions. During the throes and convulsions of the ancient world, during the agonising spasms of infuriated man, seeking through blood and slaughter his long lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be more felt and feared by some and less by others; and should divide opinions as to measures of safety; but every difference of opinion is not a difference of principle. We have called by different names brethern [brethren] of the same principle. We are all republicans: we are all federalists. If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it. I know indeed that some honest men fear that a republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free

and firm, on the theoretic and visionary fear, that this government, the world's best hope, may, by possibility, want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one, where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern. — Sometimes it is said that man cannot be trusted with the government of himself. Can he then be trusted with the government of others? Or have we found angels, in the form of kings, to govern him? Let history answer this question.

Let us then, with courage and confidence, pursue our own federal and republican principles; our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high minded to endure the degradations of the others, possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation, entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them, enlightened by a benign religion, professed indeed and practised in various forms, yet all of them inculcating honesty, truth, temperance, gratitude and the love of man, acknowledging and adoring an overruling providence, which by all its dispensations proves that it delights in the happiness of man here, and his greater happiness hereafter; with all these blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow-citizens, a wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labour the bread it has earned. This is the sum of good government; and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend every thing dear and valuable to you, it is proper you should understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. — Equal and exact justice to all men, of whatever state or persuasion, religious or political: — peace, commerce, and honest friendship with all nations, entangling alliances with none: — the support of the state governments in all their rights, as the

most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies — the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home, and safety abroad; a jealous care of the right of election by the people, a mild and safe corrective of abuses which are lopped by the sword of revolution, where peaceable remedies are unprovided: — absolute acquiescence in the decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism: — a well disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them: — the supremacy of the civil over the military authority — economy in the public expense that labour may be lightly burthened: — the honest payment of out [our] debts and sacred preservation of the public faith: — encouragement of agriculture, and of commerce as its handmaid: — the diffusion of information, and arraignment of all abuses at the bar of the public reason: — freedom of religion; freedom of the press; and freedom of person, under the protection of the Habeas Corpus: — and trial by juries impartially selected. These principles form the bright constellation, which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages, and blood of our heroes, have been devoted to their attainment: — they should be the creed of our political faith; the text of civic instruction, the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or of alarm, let us hasten to retrace our steps, and to regain the road, which alone leads to peace, liberty and safety.

I repair, then, fellow-citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulties of this the greatest of all, I have learnt to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation, and the favor, which bring him into it. Without pretensions to that high confidence you reposed in our first and greatest revolutionary character, whose pre-eminent services had entitled him to the first place in his country's love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. . . . .

Senate Journal, 6 Cong., 2 sess. (Washington, 1800 [1801]), Appendix, 141–147.

107. Advice on Removals (1801)

BY POSTMASTER-GENERAL GIDEON GRANGER AND PIERREPONT EDWARDS

Granger, a native of Connecticut, was Jefferson's postmaster-general. He held the position for thirteen years. Edwards was a son of Jonathan Edwards, the theologian, but was one of the leaders in Connecticut of the Toleration party, organized to overthrow the connection between church and state. With Jefferson's administration began the practice of making political removals. Goodrich, mentioned in the text, was appointed to office by Adams less than a fortnight before the latter's term expired. — Bibliography: Lucy M. Salmon, *Appointing Power of the President*, 33–42, 125–129 (American Historical Association, *Papers*, I, 323–332, 415–419); Channing and Hart, *Guide*, § 167.

A. GRANGER TO JEFFERSON

SUFFIELD April 15th, 1801.

. . . AS to the case of Mr Goodrich and the general questions affecting removals from office in this State, I have had a full consultation with Messrs Edwards, Thirby and Wolcott and a few other tried friends. They are all agreed that the cause requires the removal of Mr Goodrich immediately, and of various other principal officers as soon and in such manner as the Executive should deem proper; for my own part I have yielded to the same opinion so far as respects the principal officers in Newhaven, Hartford, Middletown and Litchfield though reluctantly and with some apprehension. I had always till last winter fondly cherished the hope that when the public will should declare in favor of the friends of equal liberty the foes to the constitution would attempt a reconciliation, and the country be happy and quiet; nor was this hope abandoned untill I became acquainted with the scandalous scenes acted on the floor of Congress, with a clear view of destroying every thing dear and valuable at a single blow. I am now fully convinced of this truth, that though defeated our foes are not conquered, though they crouch it is but to secure their prey; — that their exertions are and will be increased, and that finally the Republic must expire at the feet of aristocracy, or the faction be fully prostrated. . . .

Premising that I am fully sensible of the agitations which will be produced by removals from office, that I have no connections for whom I wish office, and that I sincerely lament the existence of a state of things which require acts calculated to affect individuals, and to give pain to the feelings of the executive — I proceed to state the reasons upon which I have founded my opinion.

First, — the principle cannot be controverted, that it is just, fair and honorable that the friends of the Government should have at least as great a proportion of the honors and offices of the Government as they are of the whole people. . . .

Secondly, The general depression of the Republicans in this State, who have suffered every thing, combatting a Phalanx vastly superior to what can be found in any other part of the union forms a strong reason. Nothing can be lost here, and something may be gained: How far this applies to other parts of the union is not for me to judge. A knowledge that we had the real confidence of the Executive I think would have a happy effect, for already it is used as an argument to affect our elections that the President used the Democrats to ride into office, that now seated there he has evinced his contempt for them, and will rely solely on the federalists for support. . . .

Lastly, The sacred rule that no man shall be persecuted for his opinions decently and reasonably maintained will not apply to any of our official Characters. I believe without a single exception All, and I know most have been bitter persecutors. . . .

B. EDWARDS TO JEFFERSON

New haven May 12th, 1801.

. . . THERE is but one opinion among the intelligent republicans in Connecticutt, respecting the case of Mr Goodrich; all agree, that a removal will be right in itself, and that the Measure is necessary, as it regards the general cause in Connecticutt. We have "*consulted and advised on the subject, taking a broad view of it, general as well as local*" . . . We are convinced, that his being continued in office, instead of reconciling his friends, or any part of the federalists to republicanism, and to your administration will strengthen them in their Opposition. They boldly assert that you dare not dismiss any federal officer in Connecticut. And they assign two reasons — "That you know, that if your administration is supported at all in Connecticutt, it must be supported by the federalists," and . . . they say, "Mr. Jefferson has displaced no Officer in Connecticut; he has in other States; and is it because the Officers in Connecticutt are more republican than in other States? No, they are the strongest federalists in the United States; the true cause of his thus conducting is, *he dare not trust a republican in Connecticut*, he knows they are, what we assert them to be, *disorganizers*. Every hour that the work of displacing is

deferred gives strength to this delusion. I should not have mentioned what I have, were it not constantly and hourly said by the most influential and distinguished of the federal party. . . . They talk here as tho' all power was still in their hands. If you administer the Government, say they, according to former administration, they will support you, but if you displace officers they will turn you out at the next Election.

Our Southern brethren, I presume, have no just conception, as to the state of things in Connecticutt; the malignity of the federalists here is wholly inconceivable to any, but such as are eye and ear witnesses to all; we should be as slow to believe as they, if we had not had the evidence of our own senses, as to their conversation and conduct. The federalists are a corps most systematically organized. The Governor and Council, joined to the corporation of Yale College, which was originally wholly eclesiastical (and thirteen out of twenty one are now eclesiastics,) make all the arrangements; these are communicated to three general meetings of our established Clergy . . . from these general meetings the plans are communicated to the County consociations, and there there are generally two in each County: these are composed of all the established Clergy living within the precincts of the respective Consociations — from them it is communicated to all the true federalists of each Parish. By these means they act with perfect uniformity; they are also, in this way, taught an uniformity of speech, on all political questions; so that if you hear any thing said by a federalist of tolerable respectibility here, you may be sure that the same thing is prepared to be said every where. Since your election to the Presidency they have formed a plan, which looks more like producing some serious [*undecipherable*] than any that has ever yet been adopted by them: the Clergy are all to inculcate, with earnestness, in private conversation, and from the Pulpit the necessity of submitting to Government, the danger of speaking evil of those who administer the Government, *so long as they administer it well.* they are to shew the fatal effects of not observing this sort of conduct; by stating, that if good men, who are in Office, are calumniated; it will probably be the means of bringing into office bad men, *Deists*, men of no *religion*, men *profligate in their morals;* and to shew clearly that such will be the effect of calumniating good officers, they are to tell the people, to look at *recent events*. . . . with these facts in full View, we do not hesitate to say, that a *temporizing* policy will be, here, a *ruinous* policy. The Collector at Middletown deserves a dismision on more grounds than one. Violent, irritable, priest-ridden, implacable, a

ferocious federalist, and a most indecent enimy to you and your administration, — one of the toast drank on the 4th of July last at Middletown, was "*Thomas Jefferson* may he receive from his fellow Citizens the reward of his merit," he drank it, adding, "*a halter*." I could fill a quire of paper with speeches of his equally Violent and indecent. As to Mr Goodrich's successor we all agree that Samuel Bishop Esqr of this town, Mayor of our City Chief Judge of our County Court, and a Decon in one of our established churches ought to be the man. In him will be embraced respectability, integrity, religion steady habits and firm republicanism. I deemed it important to you important to the United States that I should say nothing, in answer to your letter, but what should be the result of correct information, and sound deliberation; and lest I should fail in some of these important Points I have defered writing till this late hour. I am conscious that I have written nothing which according to existing evidence, and that full and clear, I am not authorized to write. . . .

Gaillard Hunt, *Office-Seeking during Jefferson's Administration*, in *American Historical Review* (New York, etc., 1898), III, 272–277 *passim*.

108. Courtesies of a Bashaw (1800–1801)

BY CONSUL JAMES LEANDER CATHCART

The insolence of the Barbary powers had been endured so long by Europe that the rulers of these small Mediterranean states observed no bounds in their threatening requests to be kept peaceful by gifts. Failure of the United States to humor the bashaw of Tripoli resulted in his declaring war soon after the period covered by the following correspondence, a measure which afforded the United States navy much valuable training. These letters were written to the secretary of state. To secure sequence of thought, the order has been changed from that followed in the *State Papers*. — Bibliography: Winsor, *Narrative and Critical History*, VII, 234–235, 418–420; Channing and Hart, *Guide*, § 167.

TRIPOLI, *April* 18, 1800.

. . . I SENT my dragoman to inform the Bashaw that . . . I would wait on him when he was at leisure.

In the evening he sent Farfara to inform me that he was indisposed, or would have been glad to see me; and requested, if I had any thing to impart, that I would communicate it to Farfara. I accordingly requested him to express to the Bashaw his excellency the President's satisfaction with the arrangements that took place last year, and to assure him that

he had never considered him as dependent upon either of the other regencies; that he had always treated him as an independent prince, and the Government of the United States would always consider him with as much respect, and treat him with the same friendship, that they did the heads of the other regencies. Farfara returned with the following answer: "His excellency the Bashaw has desired me to request you to acquaint the President of the United States that he is exceedingly pleased with his proffers of friendship; that the respect which he has shown to his communication is really flattering; that, had his protestations been accompanied with a frigate or brig of war, such as we had given the Algerines, he would be still more inclined to believe them genuine; that compliments, although acceptable, were of very little value, and that the heads of the Barbary States knew their friends by the value of the presents that they received from them." . . .

. . . I requested him to inform the Bashaw, that, if he supposed that the cruisers which were sent by our Government to Algiers were given gratuitously, he had been misinformed; that, during our negotiation last year, I had acquainted him that the frigate was given to that regency in lieu of cash, for the ransom of our citizens, which had been redeemed on credit more than a year before her arrival . . .

The Bashaw returned, in answer, that he had concluded peace with the United States for much less than he had received from other nations, and that he knew his friends by what he received from them.

. . . The appearance of our frigates in the Mediterranean will, I hope, eradicate any expectation that he may have flattered himself with, if any really exists; and, until that period, believe me, sir, our commerce will never be upon a respectable footing in these seas.

MAY 12, 1800. . . .

On the 2d of May a courier arrived from Tunis . . . Farfara came and informed me that the Bashaw wanted to see me immediately. . . .

The Bashaw observed that the United States had made liberal presents to Algiers and Tunis; that he was informed of the particulars of all our negotiations; that he even had a list of the cargo which had arrived at Tunis; that it is worth a treasure. "Why do not the United States send me a voluntary present? . . . But I have cruisers as well as Tunis, and as good raizes and sailors. I am an independent prince as well as the Bashaw of Tunis, and I can hurt the commerce of any nation as much as the Tunisians."

. . . I . . . answered him as follows: —

"Whatever information your excellency has received relative to the value of the presents or stores which have been given to Tunis, it has been amazingly exaggerated. We have never made any but what were stipulated by treaty . . . Had your excellency preferred the stores to cash, and waited with patience until they were forwarded, as the Bey of Tunis has done, I am convinced they would have arrived long ere now. But, at present, as the United States have fulfilled the stipulations of the treaty, they are not in arrears to this regency, and any demands upon them must naturally be very unexpected." . . .

May 4, the Siddi Mahomed Daguize and Signior Farfara came to the American house and informed me that the Bashaw had ordered them to ask me if I had taken any resolution in consequence of the conversation which I had with him on the 2d inst. I informed them that I had taken none whatever, and that it seemed unaccountable to me that his excellency should expect any other answer after what I had informed him in their presence. . . .

At six, P. M. they returned, and informed me that the Bashaw was very much displeased, and had ordered them to acquaint me that he was informed that the Sahibtappa at Tunis had received more than forty thousand dollars from the United States, in cash, besides presents; that he had received very little more, and that he had never imagined the United States meant to put him on an equality with one of the Bey of Tunis's ministers. . . .

I observed that the Bashaw was misinformed by his correspondent . . . that I requested them to inform his excellency that I had not power to offer him a dollar, and that there were no funds in the United States appropriated for maintaining our peace with Tripoli, as we had carried our treaty into effect already; that he had written to the President of the United States, the Dey of Algiers, and Bey of Tunis; that he had settled with the agent of the United States, and had received a cash payment in lieu and in full of all demands, and that he was content; that only three years and a half had elapsed since our treaty commenced; that the first year he had received forty thousand dollars in cash, and the value of eight thousand in presents; that the second he had received twelve thousand dollars; and that last year he had received eighteen thousand, and presents to the value of four thousand more: that, on the circumcision of his son, Siddi Aly, I had made him a present superior to the presents which were made him by the consuls of other

nations on the same occasion; that, consequently, the Government of the United States were not deficient either in their respect to him, or tokens of friendship . . .

In the evening, the Bashaw's emissaries returned, and informed me that they had encountered great difficulty in persuading the Bashaw to believe that the consul had not power to make him a present without an express order from his Government. His excellency said that he had received many presents from the consuls of other nations, and that their conduct had afterwards been approved. . . .

May the 10th. Farfara came to the American house, and informed me that the Bashaw had concluded to write to the President of the United States himself, as he entertained some suspicion that I would not write to Government with sufficient energy . . .

May 27, 1800.

Since the date of the enclosed despatch, I heard nothing from the Bashaw until the evening of the 25th instant, when Siddi Mahomed Daguize sent me the original in Arabic, of which the enclosed is a literal translation. The only conclusion which can be drawn from the Bashaw's proceedings is, that he wants a present; and if he does not get one, he will forge pretences to commit depredations on the property of our fellow-citizens. His letter to the President will be the means of keeping him quiet until he receives an answer, provided no unnecessary delay is made, as he will expect to reap a benefit therefrom. Should Government think proper to make him a present, it will have the desired effect probably for one year, but not longer. I, therefore, can see no alternative but to station some of our frigates in the Mediterranean; otherwise, we shall be continually subject to the same insults which the Imperials, Danes, Swedes, and Ragusans have already suffered, and will still continue to suffer.

[Enclosure.] "After having cultivated the branches of our good will, and paved the way for a good understanding and perfect friendship which we wish may continue forever, we make known that the object and contents of this, our present letter, is, that whereas your consul, who resides at our court in your service, has communicated to us, in your name, that you have written to him, informing him that you regarded the regency of Tripoli in the same point of view as the other regencies of Barbary, and to be upon the same footing of friendship and importance. In order to further strengthen the bonds of a good

understanding, blessed be God, may he complete and grant to you his high protection! But, our sincere friend, we could wish that these your expressions were followed by deeds and not by empty words. You will, therefore, endeavor to satisfy us by a good manner of proceeding. We, on our part, will correspond with you, with equal friendship, as well in words as deeds. But if only flattering words are meant, without performance, every one will act as he finds convenient. We beg a speedy answer, without neglect of time, as a delay on your part cannot but be prejudicial to your interests. In the mean time, we wish you happiness.

"Given in Tripoli, in Barbary, the 29th of the moon Hegia, the year of the Hegira 1214, which corresponds with the 25th May, 1800."

. . . *October 18th*, 1801.

On the 16th I waited upon the Bashaw . . . to demand satisfaction for the insult our flag had suffered, in having one of our vessels brought in here without any visible cause . . .

The Bashaw then commenced thus: "Consul, there is no nation I wish more to be at peace with than yours; but all nations pay me, and so must the Americans." I answered, "We have already paid you all we owe you, and are nothing in arrears." He answered, "That for the peace we had paid him, it was true; but to maintain the peace we had given him nothing. . . . Let them give me a stipulated sum annually, and I will be reasonable as to the amount."

In answer to . . . his proposal of an annuity, I replied with some warmth . . . "Well, then," replied the Bashaw, "let your Government give me a sum of money, and I will be content; but paid I will be, one way or other. I now desire you to inform your Government that I will wait six months for an answer to my letter to the President: that if it does not arrive in that period, and if it be not satisfactory, if it does arrive, that I will declare *war* in form against the United States. Inform your Government," said he, "how I have served the Swedes, who concluded their treaty since yours. Let them know that the French, English, and Spaniards have always sent me presents from time to time, to preserve their peace; and if they do not do the same, I will order my cruisers to bring their vessels in whenever they can find them." . . .

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), II, 350–352 *passim*.

109. Burr's Muster at Blennerhasset Island (1806)

BY JACOB ALLBRIGHT (1807)

(REPORTED BY DAVID ROBERTSON)

To convict Burr of treason, proof of an overt act with which he was concerned was necessary. To this end, reliance was placed chiefly on Allbright's testimony; but conviction did not follow. The real purpose of Burr's attempted western expedition has never been satisfactorily explained, but it was certainly not politically honorable. — Bibliography: Channing and Hart, *Guide*, § 169. — For Blennerhasset, see No. 137 below.

MR. HAY. — Our object is to prove by *his* testimony the actual assemblage of men on Blannerhassett's island, and it goes of course to prove directly the overt act.

Jacob Allbright. The first I knew of this business was, I was hired on the island to help to build a kiln for drying corn; and after working some time, Mrs. Blannerhassett told me, that Mr. Blannerhassett and colonel Burr were going to lay in provisions for an army for a year. I went to the mill, where I carried the corn to be ground after it had been dried. I worked four weeks on that business in the island. Last fall (or in September) after Blannerhassett had come home (he had been promising me cash for some time) I stept up to him. He had no money at the time; but would pay me next day, or soon. Says he, "Mr. Allbright, you are a Dutchman." But he asked me first and foremost, whether I would not join with him and go down the river? I told him, I did not know what they were upon; and he said, "Mr. Allbright, we are going to settle a new country." And I gave him an answer, that I would not like to leave my family. He said, he did not want any families to go along with him. Then he said to me, "You are a Dutchman, and a common man; and as the Dutch are apt to be scared by high men, if you'll go to New-Lancaster, where the Dutch live, and get me twenty or thirty to go with us, I will give you as many dollars." New-Lancaster was some distance off. I went home then, and gave him no answer upon that. In a few days after the boats came and landed at the island. The snow was about two or three inches deep, and I went out a hunting. I was on the Ohio side; I met two men; I knew they belonged to the boats, but I wanted to find out; and they asked me whether I had not given my consent to go along with Blannerhassett down the river? As we got into a conversation together they named themselves colonel Burr's men, belonging to the

boats, landed at the island. When they asked me, whether I had not consented to go down with Blannerhassett, I put a question to them. I told them I did not know what they were about; and one of the gentlemen told me, they were going to take a silver mine from the *Spanish*. I asked the gentlemen, whether they would not allow, that this would raise war with America? They replied, no. These were only a few men; and if they went with a good army, they would give up the country and nothing more said about it. I had all this conversation with the two men. These men shewed me what fine rifles they had, going down the river with them. Then I went to the island and Blannerhassett paid me off in Kentucky notes. People however did'nt like these notes very well, and I went over to the bank at Kanhawa to change them. I got two of the notes changed; and one, a ten dollar note, was returned to my hand, for which I wished to get silver from Blannerhassett. I went to the island the day the proclamation came out. But before I went to Blannerhassett's house, I heard he was not at home, but at Marietta. I went on the Virginia side, where I met three other men, belonging to the boats, with three complete rifles. They made a call upon me, to take them to the island in my canoe, and I *accepted* [excepted?] to it; but afterwards I carried the third man, who stood close by my canoe, over to the island. After being some time on the island, I went down to the four boats. Blannerhassett was not at home yet; and I met some of the boat people shooting at a mark. They had a fire between the bank and boats. I saw this in the day time.

Mr. Hay. — How many boats were there?

Answer. Four.

I waited at the house till Blannerhassett came home. He appeared very much scared. One of the boat-men came up to him for something, and he told him, "Don't trouble me, I have trouble enough already." He went up to his chamber; and I saw no more of him. I asked an old gentleman who was there, and with whom I was well acquainted, to go up to his chamber, and change my note for silver. He did go, and brought me silver. By and by I heard that they were going to start that night. Thinks I, "I'll see the end of it." This was the night of the very day that Blannerhassett got back from Marietta. He got back before night. When night came on, I was among the men and also in the kitchen; and saw the boat-men running bullets. One of them spoke out to the others, "Boys, let's mould as many bullets, as we can

fire twelve rounds." After that, I saw no more till after twelve o'clock at night. Then Blannerhassett came down from the chamber, and called up some of his servants; he had four or five trunks. There were not trusty hands enough to carry them to the boats; and some person called after my name, and asked me to help them; and I carried one of the trunks and moved along with them. When we got down, some person, I don't particularly know who, but think it was Blannerhassett himself, asked me to stand by the trunks, till they were put in the boats. When the last of them went off, I saw men standing in a circle on the shore. I went up to them; perhaps they were five or six rods from me. The first thing that I noticed, was their laying plans and consulting how Blannerhassett and Comfort Tyler should get safe by Galliopolis. One Nahum Bennett was called forward, and when he came, Blannerhassett asked him, whether he had not two smart horses? Nahum Bennett answered no; he had but one. Then Blannerhassett told him to go to captain Dennie, and get his sorrel horse; and Nahum Bennett told him, that the sorrel horse had no shoes on; and Blannerhassett said, the roads were soft and would not hurt the horse. Blannerhassett told Nahum Bennett to meet him and Comfort Tyler with the horses, some where about Galliopolis: Bennett inquired how he was to find him out, should he inquire for him? "No." "Have you no friends there?" "No." Mrs. Blannerhassett then came forward, and she told Blannerhassett and Comfort Tyler, that they must take a canoe and get into it before they got to Galliopolis, and sail down the stream of the Ohio; for no body would mind a couple of men going down the stream. She said "*she'd*" pay for the canoe. Blannerhassett told Nahum Bennett to take the two horses and pass round Galliopolis before day, and then they might surround [go round] Galliopolis. After that, a man by the name of Tupper, laid his hands upon Blannerhassett, and said, "Your body is in my hands, in the name of the commonwealth." Some *such words* as that he mentioned. When Tupper made that motion, there were seven or eight muskets levelled at him. Tupper looked about him and said, "Gentlemen, I hope you will not do the like." One of the gentlemen who was nearest, about two yards off, said, "*I'd as lieve as not.*" Tupper then changed his speech, and said he wished him to escape safe down the river, and wished him luck. Tupper before told Blannerhassett he should stay and stand his trial. But Blannerhassett said no; that the people in the neighbourhood were coming down next day to take him, and he would go. Next day after,

I saw the Wood county militia going down. The people went off in boats that night about one.

Question. All?

Answer. All but one, who was a doctor. All belonging to the boats had some kind of arms. Some of the boats were on the shore and some not.

Mr. HAY. — How many men were there in all?

Answer. About twenty or thirty: I did not, however, count them. Every man belonging to the boats that I took notice of, had arms.

Mr. Coleman (one of the jury.) What day, month, or year, was this?

Answer. In the fall of the year. I don't recollect the month or particular time, but there was snow on the ground.

Mr. HAY. — Do you recollect whether it snows in September?

Answer. I do not know.

Mr. Sheppard (one of the jury.) Was Tupper a magistrate or officer?

Answer. I know not.

Question. Where had Blannerhassett been?

Answer. In Kentucky.

Mr. WIRT. — Had you seen colonel Burr on the island?

Answer. Yes.

Question. Was he there before Blannerhassett went to Kentucky?

Answer. He was. . . .

Question. Did the boats quit the island at the time of hearing about the proclamation?

Answer. Yes.

Question. Did the Wood county militia go there next day?

Answer. Yes.

Question by Mr. Parker (one of the jury). . . . How long did Aaron Burr remain on the island?

Answer. I do not recollect.

Question by the same. How long had he been there before the departure of the boats?

To this question, he *first* answered, that he did not know; and that Mr. Burr never returned back to the island: but after some reflection he said, that he had been there about six weeks before the departure of the boats.

David Robertson, *Reports of the Trials of Colonel Aaron Burr, for Treason, and for a Misdemeanor*, etc. (Philadelphia, 1808), I, 506–510 *passim*.

110. A Satire on Jefferson (1809)

BY WASHINGTON IRVING

Irving's political affiliations were with that branch of the Democratic party that had formerly been led by Burr, and he was consequently hostile to Jefferson. But the sting in the following characterization was soon forgotten, and the exquisite humor remained to make the work famous. — For Irving, see Providence Public Library, *Monthly Reference Lists*, III, 13–14. — For Jefferson, see No. 10 above.

SUCH were the personal endowments of William the Testy, but it was the sterling riches of his mind that raised him to dignity and power. In his youth he had passed with great credit through a celebrated academy at the Hague, noted for producing finished scholars, with a dispatch unequalled, except by certain of our American colleges, which seem to manufacture bachelors of arts, by some patent machine. Here he skirmished very smartly on the frontiers of several of the sciences, and made such a gallant inroad into the dead languages, as to bring off captive a host of Greek nouns and Latin verbs, together with divers pithy saws and apothegms, all which he constantly paraded in conversation and writing, with as much vain glory as would a triumphant general of yore display the spoils of the countries he had ravaged. . . .

No sooner had this bustling little man been blown by a whiff of fortune into the seat of government, than he called together his council and delivered a very animated speech on the affairs of the province. . . .

Having . . . artfully wrought up his tale of terror to a climax, he assumed a self satisfied look, and declared, with a nod of knowing import, that he had taken measures to put a final stop to these encroachments — that he had been obliged to have recourse to a dreadful engine of warfare, lately invented, awful in its effects, but authorized by direful necessity. In a word, he was resolved to conquer the Yankees — by proclamation! . . .

Never was a more comprehensive, a more expeditious, or, what is still better, a more economical measure devised, than this of defeating the Yankees by proclamation . . . all that was wanting to insure its effect, was that the Yankees should stand in awe of it; but, provoking to relate, they treated it with the most absolute contempt . . .

. . . Upon beholding therefore the inefficacy of his measure, the sage Kieft like many a worthy practitioner of physic, laid the blame, not to the medicine, but the quantity administered, and resolutely resolved to double the dose.

In the year 1638 therefore, that being the fourth year of his reign, he fulminated against them a second proclamation, of heavier metal than the former; written in thundering long sentences, not one word of which was under five syllables. This, in fact, was a kind of non-intercourse bill, forbidding and prohibiting all commerce and connexion, between any and every of the said Yankee intruders, and the . . . fortified post of Fort Goed Hoop, and ordering, commanding and advising, all his trusty, loyal and well-beloved subjects, to furnish them with no supplies of gin, gingerbread or sour crout; to buy none of their pacing horses, meazly pork, apple brandy, Yankee rum, cyder water, apple sweetmeats, Weathersfield onions or wooden bowls, but to starve and exterminate them from the face of the land. . . .

The great defect of Wilhelmus Kieft's policy was, that though no man could be more ready to stand forth in an hour of emergency, yet he was so intent upon guarding the national pocket, that he suffered the enemy to break its head — in other words, whatever precaution for public safety he adopted, he was so intent upon rendering it cheap, that he invariably rendered it ineffectual. All this was a remote consequence of his profound education at the Hague — where having acquired a smattering of knowledge, he was ever after a great conner of indexes, continually dipping into books, without ever studying to the bottom of any subject; so that he had the scum of all kinds of authors fermenting in his pericranium. In some of these title page researches he unluckily stumbled over a grand political *cabalistic word*, which, with his customary facility he immediately incorporated into his great scheme of government, to the irretrievable injury and delusion of the honest province of Nieuw Nederlandts, and the eternal misleading, of all experimental rulers. . . .

Not to keep my reader in any suspence, the word which had so wonderfully arrested the attention of William the Testy and which in German characters, had a particularly black and ominous aspect, on being fairly translated into the English is no other than *economy* — a talismanic term, which by constant use and frequent mention, has ceased to be formidable in our eyes, but which has as terrible potency as any in the arcana of necromancy.

When pronounced in a national assembly it has an immediate effect in closing the hearts, beclouding the intellects, drawing the purse strings and buttoning the breeches pockets of all philosophic legislators. Nor are its effects on the eye less wonderful. . . . the unfortunate patient

becomes *myopes* or in plain English, pur-blind; perceiving only the amount of immediate expense without being able to look further, and regard it in connexion with the ultimate object to be effected. . . . Such are its instantaneous operations, and the results are still more astonishing. By its magic influence seventy-fours, shrink into frigates — frigates into sloops, and sloops into gun-boats. . . .

"Unhappy William Kieft!" . . . Did he, as was but too commonly the case, defer preparation until the moment of emergency, and then hastily collect a handful of undisciplined vagrants, the measure was hooted at, as feeble and inadequate, as trifling with the public dignity and safety, and as lavishing the public funds on impotent enterprizes. — Did he resort to the economic measure of proclamation, he was laughed at by the Yankees, did he back it by non-intercourse, it was evaded and counteracted by his own subjects. Whichever way he turned himself he was beleaguered and distracted by petitions of "numerous and respectable meetings," consisting of some half a dozen scurvy pot-house politicians — all of which he read, and what is worse, all of which he attended to. The consequence was, that by incessantly changing his measures, he gave none of them a fair trial; and by listening to the clamours of the mob and endeavouring to do every thing, he in sober truth did nothing. . . .

It has been a matter of deep concern to me, that such darkness and obscurity should hang over the latter days of the illustrious Kieft — for he was a mighty and great little man worthy of being utterly renowned, seeing that he was the first potentate that introduced into this land, the art of fighting by proclamation; and defending a country by trumpeters, and windmills — an economic and humane mode of warfare, since revived with great applause, and which promises, if it can ever be carried into full effect, to save great trouble and treasure, and spare infinitely more bloodshed than either the discovery of gunpowder, or the invention of torpedoes.

[Washington Irving], *A History of New York, from the Beginning of the World to the End of the Dutch Dynasty. By Diedrich Knickerbocker* (New York, etc., 1809), I, 196–266 *passim*.

CHAPTER XVII — TERRITORIAL EXPANSION

111. Importance of New Orleans (1802)

BY PRESIDENT THOMAS JEFFERSON

Jefferson desired to keep the United States a self-sustained nation, free from all foreign entanglements. This, he saw, would be impossible if France possessed the outlet of the Mississippi valley. — For Jefferson, see No. 10 above. — Bibliography: Winsor, *Narrative and Critical History*, VII, 547; Channing and Hart, *Guide*, § 168.

A. TO ROBERT R. LIVINGSTON

WASHINGTON, April 18, 1802.

. . . THE cession of Louisiana and the Floridas by Spain to France, works most sorely on the United States. On this subject the Secretary of State has written to you fully, yet I cannot forbear recurring to it personally, so deep is the impression it makes on my mind. It completely reverses all the political relations of the United States, and will form a new epoch in our political course. Of all nations of any consideration, France is the one which, hitherto, has offered the fewest points on which we could have any conflict of right, and the most points of a communion of interests. From these causes, we have ever looked to her as our *natural friend*, as one with which we never could have an occasion of difference. Her growth, therefore, we viewed as our own, her misfortunes ours. There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market, and from its fertility it will ere long yield more than half of our whole produce, and contain more than half of our inhabitants. France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years.

Her pacific dispositions, her feeble state, would induce her to increase our facilities there, so that her possession of the place would be hardly felt by us, and it would not, perhaps, be very long before some circumstance might arise, which might make the cession of it to us the price of something of more worth to her. Not so can it ever be in the hands of France: the impetuosity of her temper, the energy and restlessness of her character, placed in a point of eternal friction with us, and our character, which, though quiet and loving peace and the pursuit of wealth, is high-minded, despising wealth in competition with insult or injury, enterprising and energetic as any nation on earth; these circumstances render it impossible that France and the United States can continue long friends, when they meet in so irritable a position. They, as well as we, must be blind if they do not see this; and we must be very improvident if we do not begin to make arrangements on that hypothesis. The day that France takes possession of New Orleans, fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment, we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force, for which our resources place us on very high ground; and having formed and connected together a power which may render reinforcement of her settlements here impossible to France, make the first cannon which shall be fired in Europe the signal for the tearing up any settlement she may have made, and for holding the two continents of America in sequestration for the common purposes of the United British and American nations. This is not a state of things we seek or desire. It is one which this measure, if adopted by France, forces on us as necessarily, as any other cause, by the laws of nature, brings on its necessary effect. It is not from a fear of France that we deprecate this measure proposed by her. For however greater her force is than ours, compared in the abstract, it is nothing in comparison of ours, when to be exerted on our soil. But it is from a sincere love of peace, and a firm persuasion, that bound to France by the interests and the strong sympathies still existing in the minds of our citizens, and holding relative positions which insure their continuance, we are secure of a long course of peace. Whereas, the change of friends, which will be rendered necessary if France changes that position, embarks us necessarily as a belligerent power in the first war of Europe. In that case, France will have held possession of New Orleans during the interval of a peace,

long or short, at the end of which it will be wrested from her. Will this short-lived possession have been an equivalent to her for the transfer of such a weight into the scale of her enemy? Will not the amalgamation of a young, thriving nation, continue to that enemy the health and force which are at present so evidently on the decline? And will a few years' possession of New Orleans add equally to the strength of France? She may say she needs Louisiana for the supply of her West Indies. She does not need it in time of peace, and in war she could not depend on them, because they would be so easily intercepted. I should suppose that all these considerations might, in some proper form, be brought into view of the government of France. Though stated by us, it ought not to give offence; because we do not bring them forward as a menace, but as consequences not controllable by us, but inevitable from the course of things. We mention them, not as things which we desire by any means, but as things we deprecate; and we beseech a friend to look forward and to prevent them for our common interest.

If France considers Louisiana, however, as indispensable for her views, she might perhaps be willing to look about for arrangements which might reconcile it to our interests. If anything could do this, it would be the ceding to us the island of New Orleans and the Floridas. This would certainly, in a great degree, remove the causes of jarring and irritation between us, and perhaps for such a length of time, as might produce other means of making the measure permanently conciliatory to our interests and friendships. It would, at any rate, relieve us from the necessity of taking immediate measures for countervailing such an operation by arrangements in another quarter. But still we should consider New Orleans and the Floridas as no equivalent for the risk of a quarrel with France, produced by her vicinage.

I have no doubt you have urged these considerations, on every proper occasion, with the government where you are. They are such as must have effect, if you can find means of producing thorough reflection on them by that government. . . . Every eye in the United States is now fixed on the affairs of Louisiana. Perhaps nothing since the revolutionary war, has produced more uneasy sensations through the body of the nation. Notwithstanding temporary bickerings have taken place with France, she has still a strong hold on the affections of our citizens generally. I have thought it not amiss, by way of supplement to the letters of the Secretary of State, to write you this private one, to impress you with the importance we affix to this transaction. . . .

B. TO M. DUPONT DE NEMOURS

WASHINGTON, April 25, 1802.

. . . I THINK it safe to enclose you my letters for Paris . . . I leave the letters for Chancellor Livingston open for your perusal. . . . I wish you to be possessed of the subject, because you may be able to impress on the government of France the inevitable consequences of their taking possession of Louisiana; and though, as I here mention, the cession of New Orleans and the Floridas to us would be a palliation, yet I believe it would be no more, and that this measure will cost France, and perhaps not very long hence, a war which will annihilate her on the ocean, and place that element under the despotism of two nations, which I am not reconciled to the more because my own would be one of them. Add to this the exclusive appropriation of both continents of America as a consequence. I wish the present order of things to continue, and with a view to this I value highly a state of friendship between France and us. You know too well how sincere I have ever been in these dispositions to doubt them. You know, too, how much I value peace, and how unwillingly I should see any event take place which would render war a necessary resource; and that all our movements should change their character and object. I am thus open with you, because I trust that you will have it in your power to impress on that government considerations, in the scale against which the possession of Louisiana is nothing. In Europe, nothing but Europe is seen, or supposed to have any right in the affairs of nations; but this little event, of France's possessing herself of Louisiana, which is thrown in as nothing, as a mere make-weight in the general settlement of accounts, — this speck which now appears as an almost invisible point in the horizon, is the embryo of a tornado which will burst on the countries on both sides of the Atlantic, and involve in its effects their highest destinies. That it may yet be avoided is my sincere prayer; and if you can be the means of informing the wisdom of Bonaparte of all its consequences, you have deserved well of both countries. Peace and abstinence from European interferences are our objects, and so will continue while the present order of things in America remain uninterrupted. . . .

Thomas Jefferson, *Writings* (edited by H. A. Washington, Washington, 1854), IV, 431–436 *passim*.

112. How Napoleon Persisted in Selling Louisiana (1803)

BY LUCIEN BONAPARTE (1812?)

(TRANSLATED BY GEORGE N. HENNING, 1899)

Lucien Bonaparte was a younger brother of Napoleon, and as ambassador to Spain had negotiated the treaty of San Ildefonso, by which Spain "retroceded" Louisiana to France. Whatever Napoleon's dream of colonial empire may have been, the uprising at San Domingo checked the occupation of the reclaimed territory; and later the imminence of another war with Great Britain compelled the sale of Louisiana to prevent it from falling into the hands of the enemy. — Bibliography: Henry Adams, *Administrations of Jefferson and Madison*, II, 12–50; Winsor, *Narrative and Critical History*, VII, 547, 550; Channing and Hart, *Guide*, § 168.

"HERE you are at last!" exclaimed my brother, "I was afraid you were not coming. It is a fine time to go to the theater; I come to tell you a piece of news which will not make you feel like amusing yourself." . . .

Continuing in the same tone, Joseph, replying to my question: "Do make haste and tell me what is up?" said to me:

"No, you will not believe it, and yet it is true. I give you a thousand guesses; the general (we still called Napoleon in that way), the general wishes to alienate Louisiana."

"Bah! who will buy it from him?"

"The Americans."

I was thunderstruck for a moment.

"The idea! if he could wish it, the Chambers would not consent to it."

"And therefore he expects to do without their consent. That is what he replied to me when I said to him, as you do now, that the Chambers would not consent to it."

"What, he really said that to you? That is a little too much! But no, it is impossible. It is a bit of brag at your expense, as the other day on the subject of Bernadotte."

"No, no," insisted Joseph, "he spoke very seriously, and, what is more, he added to me that this sale would furnish him the first funds for war." . . .

We talked together for a considerable time about the little "coup d'État" which seemed to us to exceed in arbitrariness everything that had been accomplished under the Convention and the Directory. . . .

It had become late. The plan of going to the theater was given up . . . and we separated not without having agreed that I first should go the next morning to pay a visit to the first Consul . . .

It was decided that Joseph should follow me pretty closely, without our seeming to have come to a mutual understanding, that I was not to take the initiative in regard to the sale in question, but wait until the Consul himself should mention it to me. In case he should ask me whether Joseph had spoken to me about it, I was authorized to say that he had done so and even that he seemed to me alarmed about it. Up to that point, everything that I should deem fitting to add or to object, according to what the Consul should say to me, was left to my judgment. . . .

. . . I went over, decided upon, and modified one after the other my most convincing reasons to make the Consul renounce if not his plan of alienating the colony, at least that of not consulting the Chambers about it, more and more persuaded as I was by reflection that the discussion would end in the way that I desired. . . .

I still believe firmly to-day that if the plan of the Consul had been submitted to the Chambers, it would have been rejected by a very large majority; for after all what worse thing could happen to us, in case of sacrifices necessary to obtain peace, if we were at war with the English, or with any other government, than to cede one of our finest colonies for eighteen millions?

It was on this way of considering the renunciation projected that I founded the greatest probability of the success of our opposition. These eighteen millions seemed to me besides, as I still think them to-day, after so many years, a miserable and pitiable compensation. . . .

The next morning . . . I betook myself to the Tuileries where I was immediately shown up to my brother who had just got into his bath. I found him in excellent humor. He began by speaking to me of the first night at which he had been present, astonished and sorry that we had not gone to join him. . . .

It was almost time to leave the bath, and . . . we had not discussed Louisiana any more than we had the year forty. I was vexed at it, but the nearer the last moment of speaking of it approached, the more I put off doing so. The body-servant was already holding the sheet prepared to wrap his master in: I was about to leave the place, when Rustan scratched at the door like a cat . . .

The person for whom Rustan had broken his nails at the door of the consular bath-room, was Joseph.

"Let him come in," said the first Consul, "I will stay in the water a quarter of an hour longer."

It is known that he liked very much to stay there a long time, when there was no pressing business. I had time to make a sign to the newcomer that I had not yet spoken of anything, and I saw that he was himself embarrassed as to when and how he was to broach the subject, if our brother did not give him some pretext for it.

His irresolution and my suppositions did not last long, for all at once the Consul said to Joseph:

"Well, brother, so you have not spoken to Lucien?"

"About what?" said Joseph.

"About our plan in regard to Louisiana, you know?"

"About yours, my dear brother, you mean? You cannot have forgotten that far from being mine" —

"Come, come, preacher — But I have no need of discussing that with you: you are so obstinate — With Lucien I speak more willingly of serious matters; for though he sometimes takes it into his head to oppose me, he knows how to give in to my opinion, Lucien does, when I see fit to try to make him change his." . . .

Joseph was showing annoyance at our conversation, the tone of which was more friendly than anything else, when finally he said to the Consul, rather brusquely:

"Well, you still say nothing of your great plan?"

"Oh! yes," said the Consul, "but it is late, and if Lucien will wait for me in my study with you, mister grumbler, I will join you soon: do me the favor to recall my body-servant, it is absolutely necessary for me to leave the bath. Know merely, Lucien, that I have decided to sell Louisiana to the Americans."

I thought I ought to show very moderate astonishment at this piece of news supposed to be unknown to me. Knowing very well that an opportunity would be given me to show more, I mean at his intention to dispose of it by his own will, without speaking of it to the Chambers, I contented myself with saying: "Ah! ah!" in that tone of curiosity which shows the desire to know the rest of what has been begun rather than it signifies approbation or even the contrary.

This apparent indifference made the first Consul say: "Well, Joseph, you see! Lucien does not make an outcry about that as you do. Yet he would almost have a right to do so, for his part; for after all Louisiana is his conquest. . . ."

"As for me, I assure you," replied Joseph, "that if Lucien says nothing, he thinks none the less."

"Truly? And why should he play the diplomat with me?"

Brought into prominence in a way that I did not expect, and as they say, at a standstill, I could not delay explaining myself, and, to tell the truth, I was not sorry for it. But, as the Consul did not ask my opinion upon the heart of the question, which was not the greater or less fitness of the sale, I contented myself with saying . . . that it was true that on this subject I thought as Joseph. "I flatter myself," I added in a tone which I tried to make the least hostile possible, "I flatter myself that the Chambers will not give their consent to it."

"You flatter yourself?" — (This was said in a significant tone and air of surprise —) "That is fine, in truth," murmured the Consul lower, at the same time that Joseph was exclaiming with an air of triumph:

"And I too flatter myself so, and that is what I told the first Consul."

"And what did I answer you?" said my brother pretty sharply looking at us successively, as if that the expression of our faces might not escape him.

"You answered me that you would do without the consent of the Chambers: is not that it?"

"Precisely: that is what I have taken the great liberty of saying to Mr. Joseph, and what I repeat here to citizen Lucien, begging him to tell me his opinion about it also, himself, apart from his paternal tenderness for his diplomatic conquest." . . .

The discussion perhaps would have stopped there to our great regret, and we were about to start for the door, to leave the Consul free to come out of his bath; he had already made a movement to do so and his body-servant was still holding his sheet spread out, ready to receive his master and to dry him by wrapping him in it, when this master, changing his mind all at once, said to us loud enough to make us turn round:

"And then, Gentlemen, think what you please about it, but give this affair up as lost both of you; you, Lucien, on account of the sale in itself, you, Joseph, because I shall get along without the consent of anyone whomsoever, do you understand?"

I admit that in the presence of the body-servant I felt hurt at this profession of faith on so delicate a subject, and that there escaped from me a smile of astonishment at least, which, I have reason to believe,

betrayed my thought and perhaps even more than my thought of the moment, and in spite of the absolute silence which I maintained, was perhaps the distant or preparatory cause of the tempest which was brewing, not in a tea-pot, according to the proverb, but rather in the bath-tub of him who was beginning to make all the sovereigns of Europe quake.

It was Joseph who furnished the *final* cause, to continue to speak like the disciples of Aesculapius, of the development of this tempest, because, in reply to this really very inconsiderate affirmation on the part of the chief magistrate of the Republic, followed by his "do you understand," Joseph said to him approaching the bath-tub again:

"And you will do well, my dear brother, not to expose your plan to parliamentary discussion, for I declare to you that I am the first one to place himself, if it is necessary, at the head of the opposition which cannot fail to be made to you."

I was preparing to support Joseph on the same side, if in a tone not so vehement, when the more than Olympian bursts of laughter of the first Consul checked all at once the word on my lips. Since this laugh was evidently forced, it did not last long, and Joseph, become redder and redder from anger and almost stuttering, said:

"Laugh, laugh, laugh then! None the less I will do what I say, and although I do not like to mount the tribune, this time they shall see me there."

At these words, the Consul, lifting himself half-way out of the bath-tub in which he had sunk down again, said to him in a tone which I will call energetically serious and solemn:

"You will have no need to stand forth as orator of the opposition, for I repeat to you that this discussion will not take place, for the reason that the plan which is not fortunate enough to obtain your approbation, conceived by me, negotiated by me, will be ratified and executed by me all alone, do you understand? by me who snap my fingers at your opposition."

After these words, the Consul sank down tranquilly in the waves whitened with Cologne-water of his bath-tub. But Joseph, in the tone of the greatest anger, with which his very handsome face seemed inflamed, replied to him immediately:

"Very well! *I* tell you, general, that you, I, all of us, if you do what you say, may get ready to go rejoin in a short time the poor innocent devils whom you have so legally, so humanely, above all so justly caused to be transported to Sinnamary."

The blow was struck hard. Useless and silent censurer of this scene between my two elder brothers, I wished and did not dare to leave it. I may say that I felt painfully the offence of these severe and only too just words for him to whom they were addressed. However I did not have time to linger over it, for there followed an aquatic explosion from which I was luckily protected by my position somewhat distant from the bath-tub, an explosion which had been caused by the rising first and then the sudden sinking down again of the Consul in his bath-tub, the whole accompanied by these words addressed only to Joseph:

"You are an insolent fellow! I ought —"

I did not hear the rest, and I believe that nothing followed this beginning of a sentence. I observed only then that following the difference existing between the two characters, exasperated, as it seemed to me, to the same pitch, the paleness of the Consul contrasted singularly with the redness of Joseph; and finding myself by my sort of silent neutrality in the midst of sharp or offensive remarks, which had been exchanged, as it were raised to the height of the role of peacemaker, and yet not wishing to pose as one, I tried to attain this end, by seeming to take what was going on as a sort of joke, and I quoted rather gaily, with a bombastic accent, the famous "*Quos ego . . .*" of Virgil; for in fact the image of Neptune rebuking the waves let loose in spite of him had seemed to my mind just a little ludicrous, and the "I ought" of the Neptune of the bath-tub alone reaching my ear completed for me in action at least in parody the literary translation of the celebrated reticence, the first subject of admiration for young Latinists. It is of course understood that it was only to the unsuccessful rebellion of the winds that I was supposed to compare that of my brother Joseph, while I decreed the honor of the irritated divinity to the proper person, that which each one besides understood perfectly well.

The scene had changed its aspect, or rather it had, so to speak, collapsed. Joseph, splashed to the extent of the immersion of his clothes and his face, had received all over him the most copious injection. But apparently, the nature of this perfumed flood had calmed his anger, which, in him, was never more than superficial and short-lived, for he contented himself with letting himself be sponged and dried off by the body-servant, who, to my great regret, had remained a witness of this serious folly between such actors. . . .

Th[éodore] Iung, *Lucien Bonaparte et ses Mémoires* (Paris, 1882), II, 128-154 *passim*; translated for this work by George N. Henning.

113. Objections to Annexation (1803)

BY UNITED STATES SENATORS

The acquisition of Louisiana opened new questions concerning the relationship between the states and the central government. The arguments of the Federal senators, given below, are characteristic of those then and since made against national expansion. — Bibliography: Winsor, *Narrative and Critical History*, VII, 547, 550; Providence Public Library, *Monthly Reference Lists*, IV, 34-37; Channing and Hart, *Guide*, § 168. — For further objections, see No. 123 below.

MR. WHITE . . . I wish not to be understood as predicting that the French will not cede to us the actual and quiet possession of the territory. I hope to God they may, for possession of it we must have — I mean of New Orleans, and of such other positions on the Mississippi as may be necessary to secure to us forever the complete and uninterrupted navigation of that river. This I have ever been in favor of; I think it essential to the peace of the United States, and to the prosperity of our Western country. But as to Louisiana, this new, immense, unbounded world, if it should ever be incorporated into this Union, which I have no idea can be done but by altering the Constitution, I believe it will be the greatest curse that could at present befall us; it may be productive of innumerable evils, and especially of one that I fear even to look upon. Gentlemen on all sides, with very few exceptions, agree that the settlement of this country will be highly injurious and dangerous to the United States; but as to what has been suggested of removing the Creeks and other nations of Indians from the eastern to the western banks of the Mississippi, and of making the fertile regions of Louisiana a howling wilderness, never to be trodden by the foot of civilized man, it is impracticable. . . . you had as well pretend to inhibit the fish from swimming in the sea as to prevent the population of that country after its sovereignty shall become ours. To every man acquainted with the adventurous, roving, and enterprising temper of our people, and with the manner in which our Western country has been settled, such an idea must be chimerical. The inducements will be so strong that it will be impossible to restrain our citizens from crossing the river. Louisiana must and will become settled, if we hold it, and with the very population that would otherwise occupy part of our present territory. Thus our citizens will be removed to the immense distance of two or three thousand miles from the capital of the Union, where they will scarcely ever feel the rays of the General

Government; their affections will become alienated; they will gradually begin to view us as strangers; they will form other commercial connexions, and our interests will become distinct.

These, with other causes that human wisdom may not now foresee, will in time effect a separation, and I fear our bounds will be fixed nearer to our houses than the waters of the Mississippi. . . . And I do say that under existing circumstances, even supposing that this extent of territory was a desirable acquisition, fifteen millions of dollars was a most enormous sum to give. Our Commissioners were negotiating in Paris — they must have known the relative situation of France and England — they must have known at the moment that a war was unavoidable between the two countries, and they knew the pecuniary necessities of France and the naval power of Great Britain. These imperious circumstances should have been turned to our advantage, and if we were to purchase, should have lessened the consideration. . . .

Mr. PICKERING said . . . "The Constitution, and the laws of the United States made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land." — But a treaty to be thus obligatory, must not contravene the Constitution, nor contain any stipulations which transcend the powers therein given to the President and Senate. The treaty between the United States and the French Republic, professing to cede Louisiana to the United States, appeared to him to contain such an exceptionable stipulation — a stipulation which cannot be executed by any authority now existing. It is declared in the third article, that "the inhabitants of the ceded territory shall be incorporated in the Union of the United States." But neither the President and Senate, nor the President and Congress, are competent to such an act of incorporation. He believed that our Administration admitted that this incorporation could not be effected without an amendment of the Constitution; and he conceived that this necessary amendment could not be made in the ordinary mode by the concurrence of two-thirds of both Houses of Congress, and the ratification by the Legislatures of three-fourths of the several States. He believed the assent of each individual State to be necessary for the admission of a foreign country as an associate in the Union: in like manner as in a commercial house, the consent of each member would be necessary to admit a new partner into the company; and whether the assent of every State to such an indispensable amendment were attainable, was uncertain. But the articles of a treaty were

necessarily related to each other; the stipulation in one article being the consideration for another. If, therefore, in respect to the Louisiana Treaty, the United States fail to execute, and within a reasonable time, the engagement in the third article, (to incorporate that Territory into the Union,) the French Government will have a right to declare the whole treaty void. We must then abandon the country, or go to war to maintain our possession. But it was to prevent war that the pacific measures of the last winter were adopted — they were to "lay the foundation for future peace."

Mr. P. had never doubted the right of the United States to acquire new territory, either by purchase or by conquest, and to govern the territory so acquired as a dependent province; and in this way might Louisiana have become a territory of the United States, and have received a form of government infinitely preferable to that to which its inhabitants are now subject.

There was another serious objection to this treaty. It purported to contain a cession of Louisiana to the United States. . . . It was . . . stated, by the third article of the Treaty of St. Ildefonso, made the first of October, 1800, that the King of Spain promised and engaged, on certain conditions, "to cede to the French Republic the colony or province of Louisiana." . . . That is, by that treaty, France acquired a right to demand an actual cession of the territory, provided she fulfilled all the conditions on which Spain promised to cede. But we know Spain declares that those conditions have not been fully performed; and, by her remonstrances, warns the United States not to touch Louisiana. . . .

But gentlemen rely on the royal order, now in the hands of the French agent here, for the delivery of the possession of Louisiana to the French Republic. . . .

. . . But what if a subsequent royal order had been issued requiring those [the Spanish] officers not to deliver up Louisiana to France, or to the United States? We have some reason to think that such is the fact; and resistance, he presumed, was apprehended. Why, else, all this parade of war? . . . one honorable gentleman has said, that Spain will be left alone; that the French Republic is bound in honor not to give her any aid. The French Republic bound in honor! For ten or fifteen years past, we had known too well what were the honor and the justice of the Government of that Republic. Perhaps Spain may not resist at the present moment. She may wait until France gets the war with

Britain off her hands. Then pretences will be easily found to reclaim Louisiana; and Spain, once engaged to wrest it from us by force, will receive from France, her ally, all necessary aid. Mr. P. believed that this whole transaction had purposely been wrapt in obscurity by the French Government. The boundary of Louisiana, for instance, on the side of Florida was, in the treaty, really unintelligible; and yet nothing was more easy to define. The French Government, however, would find no difficulty in the construction. . . .

Mr. TRACY. — . . . The principle of admission, in the case of Louisiana, is the same as if it contained ten millions of inhabitants; and the principles of these people are probably as hostile to our Government, in its true construction, as they can be, and the relative strength which this admission gives to a Southern and Western interest, is contradictory to the principles of our original Union, as any can be, however strongly stated.

The paragraph in the Constitution, which says that "new States may be admitted by Congress into this Union," has been quoted to justify this treaty. . . . The article of the Constitution, if any person will take the trouble to examine it, refers to domestic States only, and not at all to foreign States. . . . The words of the Constitution are completely satisfied, by a construction which shall include only the admission of domestic States, who were all parties to the Revolutionary war, and to the compact; and the spirit of the association seems to embrace no other. But I repeat it, if the Congress collectively has this power, the President and Senate, cannot, of course, have it exclusively. . . .

The seventh article admits for twelve years the ships of France and Spain into the ceded territory, free of foreign duty — this is giving a commercial preference to those ports over the other ports of the United States . . . which the Constitution expressly prohibits from being given to the ports of one State over those of another . . . I acknowledge, if Louisiana is not admitted into the Union, and that if there is no promise to admit her, then this part of our argument will not apply; but, in declaring these to be facts, my opponents are driven to acknowledge that the third article of this treaty is void, which answers every purpose which I wish to establish, that this treaty is unconstitutional and void, and that I have, consequently, a right to withhold my vote . . .

Annals of Congress, 8 Cong., 1 sess. (Gales and Seaton, Washington, 1852), 31–58 *passim*.

114. Petition for Representative Government (1804)

BY INHABITANTS OF LOUISIANA

This petition was the work of Edward Livingston, who had removed to New Orleans in 1804. It secured a change in the government of the territory, which was the first step toward the incorporation of Louisiana into the Union and the first announcement of the extension of the Constitution over acquired territory. — Bibliography as in No. 113 above.

WE, the subscribers, planters, merchants, and other inhabitants of Louisiana, respectfully approach the Legislature of the United States with a memorial of our rights, a remonstrance against certain laws which contravene them, and a petition for that redress to which the laws of nature, sanctioned by positive stipulation, have entitled us. . . .

Disavowing any language but that of respectful remonstrance, disdaining any other but that which befits a manly assertion of our rights, we pray leave to examine the law for erecting Louisiana into two Territories and providing for the temporary government thereof, to compare its provisions with our rights, and its whole scope with the letter and spirit of the treaty which binds us to the United States.

The first section erects the country south of the thirty-third degree into a Territory of the United States, by the name of the Territory of Orleans.

The second gives us a Governor appointed for three years by the President of the United States.

The fourth vests in him and in a council, also chosen by the President, all Legislative power, subject to the revision of Congress, especially guarding against any interference with public property either by taxation or sale.

And the fifth establishes a Judiciary, to consist of a Supreme Court, having exclusive criminal and original jurisdiction without appeal for all causes above the value of one hundred dollars, and such inferior courts as the Legislature of the Territory may establish. The judges of the superior court are appointed by the President, to continue in office four years.

This is the summary of our constitution ; this is so far the accomplishment of a treaty engagement to "incorporate us into the Union, and admit us to all the rights, advantages, and immunities of American citizens." And this is the promise performed, which was made by our first magistrate in your name, "that you would receive us as brothers,

and hasten to extend to us a participation in those invaluable rights which had formed the basis of your unexampled prosperity." . . .

Taxation without representation, an obligation to obey laws without any voice in their formation, the undue influence of the executive upon legislative proceedings, and a dependent judiciary, formed, we believe, very prominent articles in the list of grievances complained of by the United States, at the commencement of their glorious contest for freedom . . .

Are truths, then, so well founded, so universally acknowledged, inapplicable only to us? Do political axioms on the Atlantic become problems when transferred to the shores of the Mississippi? . . . Where, we ask respectfully, where is the circumstance that is to exclude us from a participation in these rights? . . .

. . . To deprive us of our right of election, we have been represented as too ignorant to exercise it with wisdom, and too turbulent to enjoy it with safety. Sunk in ignorance, effeminated by luxury, debased by oppression, we were, it was said, incapable of appreciating a free constitution, if it were given, or feeling the deprivation, if it were denied.

The sentiments which were excited by this humiliating picture may be imagined, but cannot be expressed, consistent with the respect we owe to your honorable body. . . .

As to the degree of information diffused through the country, we humbly request that some more correct evidence may be produced than the superficial remarks that have been made by travellers or residents, who neither associate with us nor speak our language. Many of us are native citizens of the United States, who have participated in that kind of knowledge which is there spread among the people; the others generally are men who will not suffer by a comparison with the population of any other colony. . . .

For our love of order and submission to the laws we can confidently appeal to the whole history of our settlement, and particularly to what has lately passed in those dangerous moments when it was uncertain at what point our political vibrations would stop; when national prejudice, personal interest, factious views, and ambitious designs, might be supposed to combine for the interruption of our repose; when, in the frequent changes to which we have been subject, the authority of one nation was weakened before the other had established its power. . . . But let us admit . . . that there is no clause for us in the great charter

of nature, and that we must look for our freedom to another source; yet we are not without a claim; one arising from solemn stipulation, and, according to our ideas, full, obligatory, and unequivocal.

The third article of the treaty lately concluded at Paris, declares that "the inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities, of citizens of the United States, and in the mean time they shall be protected in the enjoyment of their liberty, property, and the exercise of the religion they profess.". . .

The inhabitants of the ceded territory are to be "incorporated into the Union of the United States;" these words can in no sense be satisfied by the act in question. A Territory governed in the manner it directs may be a province of the United States, but can by no construction be said to be incorporated into the Union. To be incorporated into the Union must mean to form a part of it; but to every component part of the United States the Constitution has guarantied a republican form of Government, and this, as we have already shown, has no one principle of republicanism in its composition; it is, therefore, not a compliance with the letter of the treaty, and is totally inconsistent with its spirit, which certainly intends some stipulations in our favor. . . . If any doubt, however, could possibly arise on the first member of the sentence, it must vanish by a consideration of the second, which provides for their admission to the rights, privileges, and immunities, of citizens of the United States. But this Government, as we have shown, is totally incompatible with those rights. Without any vote in the election of our Legislature, without any check upon our Executive, without any one incident of self-government, what valuable "privilege" of citizenship is allowed us, what "right" do we enjoy, of what "immunity" can we boast, except, indeed, the degrading exemption from the cares of legislation, and the burden of public affairs? . . .

We know not with what view the territory north of the thirty-third degree has been severed from us, and carried with it the distinguishing name which belonged to us, and to which we are attached; the convenience of the inhabitants we humbly apprehend would have been better consulted by preserving the connexion of the whole province until a greater degree of population made a division necessary. If this division should operate so as to prolong our state of political tutelage, on account of any supposed deficiency of numbers, we cannot but consider it as

injurious to our rights, and therefore enumerate it among those points of which we have reason to complain. . . .

There is one subject, however, extremely interesting to us, in which great care has been taken to prevent any interference even by the Governor and Council, selected by the President himself. The African trade is absolutely prohibited, and severe penalties imposed on a traffic free to all the Atlantic States who choose to engage in it, and as far as relates to procuring the subjects of it from other States, permitted even in the Territory of the Mississippi.

It is not our intention to enter into arguments that have become familiar to every reasoner on this question. We only ask the right of deciding it for ourselves, and of being placed in this respect on an equal footing with other States. To the necessity of employing African laborers, which arises from climate, and the species of cultivation pursued in warm latitudes, is added a reason in this country peculiar to itself. The banks raised to restrain the waters of the Mississippi can only be kept in repair by those whose natural constitution and habits of labor enable them to resist the combined effects of a deleterious moisture, and a degree of heat intolerable to whites; this labor is great, it requires many hands, and it is all important to the very existence of our country. If, therefore, this traffic is justifiable anywhere, it is surely in this province, where, unless it is permitted, cultivation must cease, the improvements of a century be destroyed, and the great river resume its empire over our ruined fields and demolished habitations. . . .

Deeply impressed, therefore, with a persuasion that our rights need only be stated to be recognized and allowed; that the highest glory of a free nation is a communication of the blessings of freedom; and that its best reputation is derived from a sacred regard to treaties . . .

We, therefore, respectfully pray that so much of the law abovementioned, as provides for the temporary government of this country, as divides it into two Territories, and prohibits the importation of slaves, be repealed.

And that prompt and efficacious measures may be taken to incorporate the inhabitants of Louisiana into the Union of the United States, and admit them to all the rights, privileges, and immunities, of the citizens thereof.

Annals of Congress, 8 Cong., 2 sess. (Gales and Seaton, Washington, 1852), Appendix, 1597–1608 *passim.*

115. On the Road to Oregon (1805)

BY CAPTAINS MERIWETHER LEWIS AND WILLIAM CLARK

Lewis entered the regular army in 1795. He was in command of this expedition to Oregon, which was not, however, of a strictly military character. Later he was governor of the Missouri territory. Clark was a younger brother of George Rogers Clark, who conquered the West during the Revolutionary War. He resigned from the army in 1807 and devoted his later life chiefly to the Indians, of whom he had an exceptional knowledge. Jefferson's instructions to the party were very comprehensive and they were faithfully carried out. The exploration forged a strong link in our claim to Oregon. The account of the expedition is a compilation from the records kept by the explorers. — For memoirs of Lewis and Clark, see Elliott Coues, *Lewis and Clark Expedition*, I, xv–xcvii. — Bibliography: H. H. Bancroft, *History of the Pacific States*, XXII, xvii–xxxiii; Winsor, *Narrative and Critical History*, VII, 555–558; Channing and Hart, *Guide*, § 168.

SATURDAY 27 [July, 1805]. We proceeded on but slowly, the current being still so rapid as to require the utmost exertions of us all to advance, and the men are losing their strength fast in consequence of their constant efforts. . . . At two and a half miles we reached the centre of a bend towards the south passing a small island, and at one mile and a quarter beyond this reached about nine in the morning the mouth of a river seventy yards wide, which falls in from the southeast. Here the country suddenly opens into extensive and beautiful meadows and plains, surrounded on every side with distant and lofty mountains. Captain Lewis went up this stream for about half a mile, and from the height of a limestone cliff could observe its course about seven miles, and the three forks of the Missouri, of which this river is one. . . . We then left the mouth of the southeast fork, to which in honour of the secretary of the treasury we called Gallatin's river, and at the distance of half a mile reached the confluence of the southwest and middle branch of the Missouris. . . . as we agreed . . . that the direction of the southwest fork gave it a decided preference over the others, we ascended that branch of the river for a mile, and encamped in a level handsome plain on the left: having advanced only seven miles. . . .

Sunday, July 28. . . . On examining the two streams it became difficult to decide which was the larger or the real Missouri; they are each ninety yards wide and so perfectly similar in character and appearance that they seem to have been formed in the same mould. We were therefore induced to discontinue the name of Missouri, and gave to the southwest branch the name of Jefferson in honour of the president of

the United States, and the projector of the enterprise: and called the middle branch Madison, after James Madison secretary of state. . . .

Tuesday 30. . . . we reloaded our canoes, and began to ascend Jefferson river. . . .

Wednesday 31. . . . At the distance of one mile from our encampment we passed the principal entrance of a stream on the left, which rises in the snowy mountains to the southwest, between Jefferson and Madison rivers, and discharges itself by seven mouths, five below, and one three miles above this, which is the largest, and about thirty yards wide: we called it Philosophy river. . . .

Thursday, August 1. . . . here as had been previously arranged, captain Lewis left us, with sergeant Gass, Chaboneau, and Drewyer, intending to go on in advance in search of the Shoshonees. . . .

Saturday [Sunday] 4. This morning captain Lewis . . . arrived at the junction of this river, with another which rises from the southwest . . . he left a note recommending to captain Clarke the middle fork . . .

[Monday 5.] . . . We arrived at the forks about four o'clock, but unluckily captain Lewis's note had been left on a green pole which the beaver had cut down and carried off with the note, an accident which deprived us of all information as to the character of the two branches of the river. Observing therefore that the northwest fork was most in our direction, and contained as much water as the other, we ascended it; we found it extremely rapid, and its waters were scattered in such a manner, that for a quarter of a mile we were forced to cut a passage through the willowbrush that leaned over the little channels and united at the top. . . .

Wednesday 7. . . . We were now completely satisfied that the middle branch was the most navigable, and the true continuation of the Jefferson. The northwest fork seems to be the drain of the melting snows of the mountains . . . This northwest fork we called Wisdom river. . . .

Thursday 8. . . . we reached the upper principal entrance of a stream which we called Philanthropy river. . . .

Saturday, 10. Captain Lewis continued his route at an early hour through the wide bottom along the left bank of the river. At about five miles he passed a large creek, and then fell into an Indian road leading towards the point where the river entered the mountain. This he followed till . . . they reached a handsome open and level valley,

where the river divided into two nearly equal branches. The mountains over which they passed were not very high, but are rugged and continue close to the river side. The river, which before it enters the mountain was rapid, rocky, very crooked, much divided by islands, and shallow, now becomes more direct in its course as it is hemmed in by the hills, and has not so many bends nor islands, but becomes more rapid and rocky, and continues as shallow. On examining the two branches of the river it was evident that neither of them was navigable further. . . .

Monday, 12. This morning . . . captain Lewis . . . at the distance of four miles from his camp . . . met a large plain Indian road which came into the cove from the northeast, and wound along the foot of the mountains to the southwest, approaching obliquely the main stream he had left yesterday. Down this road he now went towards the southwest: at the distance of five miles it crossed a large run or creek, which is a principal branch of the main stream into which it falls, just above the high cliffs or gates observed yesterday, and which they now saw below them: here they halted and breakfasted on the last of the deer, keeping a small piece of pork in reserve against accident: they then continued through the low bottom along the main stream near the foot of the mountains on their right. For the first five miles the valley continues towards the southwest from two to three miles in width; then the main stream, which had received two small branches from the left in the valley, turns abruptly to the west through a narrow bottom between the mountains. The road was still plain, and as it led them directly on towards the mountain the stream gradually became smaller, till after going two miles it had so greatly diminished in width that one of the men in a fit of enthusiasm, with one foot on each side of the river, thanked God that he had lived to bestride the Missouri. As they went along their hopes of soon seeing the waters of the Columbia arose almost to painful anxiety, when after four miles from the last abrupt turn of the river, they reached a small gap formed by the high mountains which recede on each side, leaving room for the Indian road. From the foot of one of the lowest of these mountains, which rises with a gentle ascent of about half a mile, issues the remotest water of the Missouri. They had now reached the hidden sources of that river, which had never yet been seen by civilized man; and as they quenched their thirst at the chaste and icy fountain — as they sat down by the brink of that little rivulet, which yielded its distant and modest tribute to the

parent ocean, they felt themselves rewarded for all their labours and all their difficulties. They left reluctantly this interesting spot, and pursuing the Indian road through the interval of the hills, arrived at the top of a ridge, from which they saw high mountains partially covered with snow still to the west of them. The ridge on which they stood formed the dividing line between the waters of the Atlantic and Pacific oceans. They followed a descent much steeper than that on the eastern side, and at the distance of three quarters of a mile reached a handsome bold creek of cold clear water running to the westward. They stopped to taste for the first time the waters of the Columbia; and after a few minutes followed the road across steep hills and low hollows, till they reached a spring on the side of a mountain: here they found a sufficient quantity of dry willow brush for fuel, and therefore halted for the night; and having killed nothing in the course of the day supped on their last piece of pork, and trusted to fortune for some other food to mix with a little flour and parched meal, which was all that now remained of their provisions. . . .

Thursday 7 [November]. The morning was rainy and the fog so thick that we could not see across the river. . . .

. . . At a distance of twenty miles from our camp we halted at a village . . . behind two small marshy islands. . . . Opposite to these islands the hills on the left retire, and the river widens into a kind of bay crowded with low islands, subject to be overflowed occasionally by the tide. We had not gone far from this village when the fog cleared off, and we enjoyed the delightful prospect of the ocean; that ocean, the object of all our labours, the reward of all our anxieties. This cheering view exhilirated the spirits of all the party, who were still more delighted on hearing the distant roar of the breakers. We went on with great cheerfulness under the high mountainous country which continued along the right bank; the shore was however so bold and rocky, that we could not, until after going fourteen miles from the last village, find any spot fit for an encampment. At that distance, having made during the day thirty-four miles, we spread our mats on the ground, and passed the night in the rain. . . .

History of the Expedition under the Command of Captains Lewis and Clark, to the Sources of the Missouri, etc. (prepared by Paul Allen, Philadelphia, 1814), I, 324–II, 70 *passim*.

CHAPTER XVIII — NEUTRAL TRADE

116. Experience of Impressments (1804)

BY CAPTAIN BASIL HALL (1831)

Hall was a midshipman on board the British man-of-war Leander, which in 1804 hovered off the coast near New York, searching vessels for British seamen and watching for French cruisers in defiance of the national and neutral rights of the United States. — Bibliography: Channing and Hart, *Guide*, § 170.

THERE was another circumstance connected with our proceedings at that time, of still more serious annoyance to the Americans, and one requiring, in its discussion, still greater delicacy of handling. I shall not, indeed, presume to enter upon its very difficult merits, but, as before, content myself with merely describing the circumstances. I need hardly mention that I allude to the impressment of those seamen whom we found serving on board American merchant ships, but who were known to be, or supposed to be, British subjects. What the strict letter of the law is now, I am not aware — I mean, what would be considered the 'law of usage' in the event of another war. But I presume we should act pretty much as we did before, and consequently incur the risk, whatever that might be, of converting a neutral into an enemy, rather than agree to relinquish our right to command the services of any British-born subject, whenever we found him on the high seas. At all events, it seems quite clear that, while we can hold it, we will never give up the right of search, or the right of impressment. We may and ought, certainly, to exercise so disagreeable a power with such temper and discretion as not to provoke the enmity of any friendly nation.

But at the time I speak of, and on board our good old ship the Leander, whose name, I was grieved, but not surprised, to find, was still held in detestation three or four and twenty years afterwards at New York, I am sorry to own that we had not much of this discretion in our proceedings; or, rather, we had not enough consideration for the feelings of the people we were dealing with. We have since learnt to respect

them more — or, as they prefer to express it, they have since taught us to respect them: be it either way, it matters not much; and if it please the Americans more to say they have instructed us in this point of good manners, than to allow that we have come to a knowledge of better habits, well and good. I am grievously afraid, however, that if we come again to be placed in like circumstances, and our ships of war are in want of men, whilst Englishmen are to be found in numbers on board American ships, we shall always fall upon some good excuse for impressing His Majesty's liege subjects, find them where we may. However civilly we may then set about this duty — as a duty it certainly will appear — the old charges, I fear, will again be raised up against us.

To place the full annoyance of these matters in a light to be viewed fairly by English people, let us suppose that the Americans and French were to go to war, and that England for once remained neutral — an odd case, I admit, but one which might happen. Next, suppose that a couple of French frigates were chased into Liverpool, and that an American squadron stationed itself off that harbour to watch the motions of these French ships, which had claimed the protection of our neutrality, and were accordingly received into 'our waters,' — I ask, "would this blockade of Liverpool be agreeable to us, or not?"

Even if the blockading American frigates did nothing but sail backwards and forwards across the harbour's mouth, or occasionally run up and anchor abreast of the town, it would not, 'I guess,' be very pleasant to be thus superintended. If, however, the American ships, in addition to this legitimate surveillance of their enemy, were to detain off the port, with equal legitimacy of usage, and within a league or so of the light-house, every British ship coming from France, or from a French colony; and if, besides looking over the papers of these ships, to see whether all was regular, they were to open every private letter, in the hope of detecting some trace of French ownership in the cargo, what should we say? And if, out of some twenty ships arrested daily in this manner, one or two of our ships were to be completely diverted from their course, from time to time, and sent off under a prize-master to New York for adjudication, I wonder, how the Liverpool folks would like it? But if, in addition to this perfectly regular and usual exercise of a belligerent right on the part of the Americans, under such circumstances, we bring in that most awkward and ticklish of questions, the impressment of seamen, let us consider how much the feeling of annoyance, on the part of the English neutral, would be augmented.

Conceive, for instance, that the American squadron, employed to blockade the French ships in Liverpool, were short handed, but, from being in daily expectation of bringing their enemy to action, it had become an object of great consequence with them to get their ships manned. And suppose, likewise, that it were perfectly notorious to all parties, that, on board every English ship arriving or sailing from the port in question, there were several American citizens, but calling themselves English, and having in their possession 'protections,' or certificates to that effect, sworn to in regular form, but well known to be false, and such as might be bought for 4*s*. 6*d*. any day. Things being in this situation, if the American men-of-war, off the English port, were then to fire at and stop every ship, and, besides overhauling her papers and cargo, were to take out any seaman, to work their own guns withal, whom they had reason, or supposed, or said they had reason, to consider American citizens, or whose country they guessed from dialect, or appearance; I wish to know with what degree of patience this would be submitted to on the Exchange at Liverpool, or elsewhere in England?

It signifies nothing to say that such a case could not occur, as the Americans do not impress seamen; for all who have attended to such subjects know well enough, that if they come to be engaged in a protracted war, especially at a distance from their own shores, there is no other possible way by which they can keep their armed ships manned. This, however, is not the point now in discussion. I merely wish to put the general case broadly before our own eyes, in order that we may bring it distinctly home to ourselves, and then see whether or not the Americans had reason for their indignation.

The truth is, they had very good reason to be annoyed; and if the guiding practical maxim amongst nations be, that 'might makes right,' as I conceive it always has been, and ever will be, so long as powder and shot exist, with money to back them, and energy to wield them, — then we really cannot pretend to find fault with the Americans, because they took advantage, or tried to take advantage, of that moment when, our 'right' being the same, our 'might' appeared to be waning. I allude to their declaring war against us in 1812, when we, fighting single-handed, in the cause of European independence, were so hard pressed by Napoleon and others. For the Americans to have taken an earlier share in the struggle against us, when we were lords of the ascendant, would have been the extremity of Quixotism. But when John Bull was pressed on all hands by numbers, and his strength exhausted by long

contests, albeit in the cause of liberty, which his brother Jonathan professes to adore, he, Jonathan, would have been a fool, a character which he certainly never was accused of enacting, if he had not taken advantage of the moment to try his strength. The provocation we gave was certainly considerable, and the retort, it must be owned, very dexterously managed. The result, I trust, is, that things are on a better footing than before; both parties have learned civility and caution, and they will not agree the worse on that account. To forgive and forget, is the old English maxim, as our friends well know. Let them imitate us in this respect, and they will be all the happier, and not a whit less powerful.

In putting a parallel case to ours off New York, and supposing Liverpool to be blockaded by the Americans on the ground of their watching some French ships, I omitted to throw in one item, which is necessary to complete the parallel, and make it fit the one from which it is drawn.

Suppose the blockading American ships off Liverpool, in firing a shot ahead of a vessel they wished to examine, had accidentally hit, not that vessel, but a small coaster, so far beyond her, that she was not even noticed by the blockading ships. And suppose, further, this unlucky chance-shot to have killed one of the crew on board the said coaster: the vessel would, of course, proceed immediately to Liverpool with the body of their slaughtered countryman; and, in fairness, it may be asked, what would have been the effect of such a spectacle on the population of England — more particularly if such an event had occurred at the moment of a general election, when party politics, raging on this very question of foreign interference, was at its height?

This is not an imaginary case; for it actually occurred in 1804, when we were blockading the French frigates in New York. A casual shot from the Leander hit an unfortunate sloop's main-boom; and the broken spar striking the mate, John Pierce by name, killed him instantly. The sloop sailed on to New York, where the mangled body, raised on a platform, was paraded through the streets, in order to augment the vehement indignation, already at a high pitch, against the English.

Now, let us be candid to our rivals; and ask ourselves, whether the Americans would have been worthy of our friendship, or even of our hostility, had they tamely submitted to indignities which, if passed upon ourselves, would have roused not only Liverpool, but the whole country, into a towering passion of nationality?

Captain Basil Hall, *Fragments of Voyages and Travels* [First Series] (Edinburgh, etc., 1831), I, 292–301.

117. Courtesies of English Cruisers (1804)

BY ROBERT SUTCLIFF

Sutcliff was an English Quaker who came to America on business in 1804 and kept a running account of his travels. The experience here described was one that all incoming American vessels had to suffer, for the government did nothing to protect them, except to protest. — Bibliography as in No. 116 above.

AFTER a tedious time spent in the gulf stream, we at length arrived on the coast of North America; and on 1st day morning, the 29th of the 7th Month [1804], we were favoured with the sight of Long Island. . . .

The next morning, about four o'clock, 7th Month, 30th, I was waked by the report of a great gun, which was followed by considerable bustle upon deck. After getting up, I understood that a shot had been fired over us by an English frigate, called the Boston, which, in company with the Leander and Cambrian men of war, and Driver sloop of war, was then cruizing near us; and as the cannon-ball that was fired over us, was an earnest of what we might expect if we did not stop to receive an officer from the frigate, the topsails were immediately backed, and we shortened sail that they might have an opportunity of coming to us. A Lieutenant and Midshipman were sent on board. After spending about half an hour in conversation with us, and exchanging intelligence and newspapers, they left the ship; and, at parting, observed that they believed all our seamen were citizens of the United States, and therefore did not wish to examine them; but that they hoped we would not hoist our sails until we had a signal from the frigate; which was complied with. . . .

The different ships of war, which I have just mentioned, made a very gay appearance; for the weather being fine and clear, and but little wind, they had most of their sails spread; and continued sailing to and fro before Sandyhook; the Never-sink Mountains being in the back ground. Their object was to watch two French frigates then lying in New-York, as the Lieutenant of the Boston informed us, and, at the same time, to examine all American ships in order to discover if there were any of the subjects of Great Britain serving on board, with a view to impress them. It appeared to be an arduous and delicate situation in which the Commander of these ships was placed. Having to fulfil the orders of his Government on the one hand, and being in danger of giving offence

to the Americans on the other, it seemed impossible for him to steer clear, unless possessed of a very uncommon share of prudence and discretion.

Robert Sutcliff, *Travels in some Parts of North America, in the Years 1804, 1805, & 1806* (Philadelphia, 1812), 20–23 *passim*.

118. The British Case against America (1805)

BY JAMES STEPHEN

Stephen was an English barrister who spent several years in the West Indies and became well acquainted with the conditions of the West Indian trade and the horrors of slavery. On his return to England in 1794 he became Wilberforce's brother-in-law and active supporter in the anti-slavery crusade; later he sat in Parliament and was made master in chancery. He published this pamphlet anonymously. It aroused much attention and is commonly supposed to have been a chief cause of the Orders in Council, of which Stephen has been called the father. — Bibliography as in No. 116 above.

LET us next enquire what use has been made by neutral merchants, of the indulgences which the British government has thus liberally granted. — We have suffered neutrals to trade with the colonies of our enemy, directly to or from the ports of their own respective countries, but not directly to or from any other part of the world, England, during the last war, excepted. Have they been content to observe the restriction? . . .

The chief danger of our so far receding from the full extent of our belligerent rights, as to allow the neutral states to import directly the produce of the hostile colonies, was that it might be re-exported, and sent either to the mother country in Europe, or to neighbouring neutral ports, from which the produce itself, or its proceeds, might be easily remitted to the hostile country; in which case our enemies would scarcely feel any serious ill effect from the war, in regard to their colonial trade. . . .

To the Americans especially, whether dealing on their own account, or as secret agents of the enemy, the profit would have been comparatively small, and the business itself inconsiderable, had they not been allowed to send forward to Europe, at least in a circuitous way, the produce they brought from the islands. The obligation of first importing into their own country, was an inconvenience which their geographical

position made of little moment; but the European, and not the American market, was that in which alone the ultimate profit could be reaped, or the neutralizing commission secured. . . .

From these causes it has naturally happened that the protection given by the American flag, to the intercourse between our European enemies and their colonies, since the instruction of January, 1794, has chiefly been in the way of a double voyage, in which America has been the half-way house, or central point of communication. The fabrics and commodities of France, Spain, and Holland, have been brought under American colours to ports in the United States; and from thence re-exported, under the same flag, for the supply of the hostile colonies. Again, the produce of those colonies has been brought, in a like manner, to the American ports, and from thence re-shipped to Europe. . . .

It seems scarcely necessary to shew, that, by this practice, the licence accorded by the British government was grossly abused. . . .

By the merchants, and custom-house officers of the United States, the line of neutral duty in this case was evidently not misconceived; for the departures from it, were carefully concealed, by artful and fraudulent contrivance. When a ship arrived at one of their ports to neutralize a voyage that fell within the restriction, *e. g.* from a Spanish colony to Spain, all her papers were immediately sent on shore, or destroyed. Not one document was left, which could disclose the fact that her cargo had been taken in at a colonial port: and new bills of lading, invoices, clearances, and passports were put on board, all importing that it had been shipped in America. Nor were official certificates, or oaths wanting, to support the fallacious pretence. The fraudulent precaution of the agents often went so far, as to discharge all the officers and crew, and sometimes even the master, and to ship an entire new company in their stead, who, being ignorant of the former branch of the voyage, could, in case of examination or capture, support the new papers by their declarations and oaths, as far as their knowledge extended, with a safe conscience. Thus, the ship and cargo were sent to sea again, perhaps within eight and forty hours from the time of her arrival, in a condition to defy the scrutiny of any British cruizer, by which she should be stopped and examined in the course of her passage to Europe. . . .

With such facilities, it is not strange that this fraudulent practice should have prevailed to a great extent, before it met the attention of our prize tribunals. . . .

Those who are conversant with the business of the prize court, well

know, that affidavits in further proof, are never wanting to support every case that a claimant may be allowed to set up. . . .

Accordingly, in the class of cases we are considering, it was held of great importance to shew, that the cargo had been landed in the neutral port, that the duties on importation had been paid, and that the first insurance had been made for a voyage to terminate in the neutral country. . . .

The landing the cargo in America, and re-shipping it in the same bottom, were no very costly precautions for better securing the merchant against the peril of capture and detection in the latter branch of these important voyages. . . .

The laying a foundation for the necessary evidence, in regard to insurance, was a still easier work: for though at first they sometimes insured the whole intended voyage, with liberty to touch in America, it was afterwards found, in consequence perhaps of the captures and discoveries we have noticed, to be much safer for the underwriters, and consequently cheaper in point of premium to the owners, to insure separately the two branches of the voyage; in which case, America necessarily appeared by the policies on the first branch, to be the place of ultimate destination; and on the last, to be that of original shipment.

The payment of duties, then, was the only remaining badge of the simulated intention for which the merchants had to provide; and here they found facilities from the port officers and government of the United States, such as obviated every inconvenience. On the arrival of a cargo destined for re-exportation in the course of this indirect commerce, they were allowed to land the goods, and even to put them in private warehouses, without paying any part of the duties; and without any further trouble, than that of giving a bond, with condition that if the goods should not be re-exported the duties should be paid. On their re-shipment and exportation, official clearances were given, in which no mention was made that the cargo consisted of bonded or debentured goods, which had previously been entered for re-exportation; but the same general forms were used, as on an original shipment of goods which had actually paid duties in America. Nor was this all; for, in the event of capture and further inquiry respecting the importation into America, the collectors and other officers were accommodating enough solemnly to certify, that the duties had been actually paid or secured to the United States; withholding the fact, that the bonds had

been afterwards discharged on the production of debentures, or other official instruments, certifying the re-exportation of the goods. . . .

But rules of practice, which have been devised by any court, for the guidance and assistance of its own judgment on questions of fact, can evidently not be binding on the court itself, when discovered to be no longer conducive to that end; much less when they are found to be made subservient to the purposes of imposition and fraud. The lords commissioners of appeal, therefore, finding it manifest in a recent case, that the alleged importation into Salem, of a cargo which had been shipped in Spain, and afterwards re-shipped for the Havannah in the same bottom, was wholly of a colourable kind; and that, notwithstanding the usual clearances and certificates, the duties had not been finally paid to the American custom-house; rejected the claim, and condemned the ship and cargo. . . .

The payment or non-payment of duties in a neutral country cannot, of itself, vary our belligerent rights; nor can the mere landing and reshipment of goods, without a change of property or intention, give to the owner any right of carriage which he did not previously possess. — Those circumstances consequently were never regarded in the prize court as of any intrinsic or substantive importance; they were merely considered as evidence of the alleged primary intention of the neutral importer; and that intention was enquired into only for his benefit, in order to absolve him from strong general presumptions against the fairness and legality of the voyage. It would therefore have been inconsistent and preposterous, to give to any or all of those circumstances any justificatory effect, when they were found not at all to support the favourable conclusions which had been originally drawn from them; but rather, on the contrary, to confirm the general adverse presumptions, which they had been once supposed to repel. . . .

. . . our prize courts . . . finding themselves to have been deceived for years past by fallacious evidence, have resolved to be cheated in the same way no longer. It is on this account only, and the consequent capture of some America West Indiamen supposed to be practising the old fraud, that we are accused of insulting the neutral powers, of innovating on the acknowledged law of nations, and of treating as contraband of war, the produce of the West India Islands. . . .

The worst consequence, perhaps, of the independence and growing commerce of America, is the seduction of our seamen. We hear continually of clamours in that country, on the score of its sailors being

pressed at sea by our frigates. But when, and how, have these sailors become Americans? — By engaging in her merchant service during the last and the present war; and sometimes by obtaining that formal naturalization, which is gratuitously given, after they have sailed two years from an American port. If those who by birth, and by residence and employment, prior to 1793, were confessedly British, ought still to be regarded as his Majesty's subjects, a very considerable part of the navigators of American ships, are such at this moment; though, unfortunately, they are not easily distinguishable from genuine American seamen. . . .

The unity of language, and the close affinity of manners, between English and American seamen, are the strong inducements with our sailors, for preferring the service of that country, to any other foreign employment; or, to speak more correctly, these circumstances remove from the American service, in the minds of our sailors, those subjects of aversion which they find in other foreign ships; and which formerly counteracted, effectually, the general motives to desert from, or avoid, the naval service of their country.

What these motives are, I need not explain. They are strong, and not easy to be removed; though they might perhaps be palliated, by alterations in our naval system . . . If we cannot remove the general causes of predilection for the American service, or the difficulty of detecting and reclaiming British seamen when engaged in it; it is, therefore, the more unwise, to allow the merchants of that country, and other neutrals, to encroach on our maritime rights in time of war; because we thereby greatly, and suddenly, increase their demand for mariners in general; and enlarge their means, as well as their motives, for seducing the sailors of Great Britain. . . .

It is truly vexatious to reflect, that, by this abdication of our belligerent rights, we not only give up the best means of annoying the enemy, but raise up, at the same time, a crowd of dangerous rivals for the seduction of our sailors, and put bribes into their hands for the purpose. We not only allow the trade of the hostile colonies to pass safely, in derision of our impotent warfare, but to be carried on by the mariners of Great Britain. This illegitimate and noxious navigation, therefore, is nourished with the life blood of our navy.

[James Stephen], *War in Disguise; or, the Frauds of the Neutral Flags* (London, 1805), 36–121 *passim*.

119. Capture of the Chesapeake by the Leopard (1807)

BY COMMODORE JAMES BARRON

Barron is known chiefly through this episode, for he never afterwards possessed an active command. The incident illustrates the storm and stress of that period. The Chesapeake had gone to sea because war with France seemed imminent, and within two days she struck her flag to the enemy of France. The British government repudiated the action and restored the seamen taken from the Chesapeake, and also paid an indemnity. — Bibliography: Winsor, *Narrative and Critical History*, VII, 522; Channing and Hart, *Guide*, § 170.

A. BERKELEY'S ORDER

BY the Honorable GEORGE CRANFIELD BERKELEY, *Vice Admiral of the White, and Commander-in-chief of His Britannic Majesty's ships and vessels employed in the river St. Lawrence, along the coast of Nova Scotia, the islands of St. John and Cape Breton, the Bay of Fundy, and at and about the island of Bermuda, or Sommers' islands:*

Whereas, many seamen, subjects of His Britannic Majesty, and serving in His Majesty's ships and vessels . . . while at anchor in the Chesapeake, deserted and entered on board the United States' frigate the Chesapeake, and openly paraded the streets of Norfolk, in sight of their officers, under the American flag, protected by the magistrates of the town, and the recruiting officer belonging to the above-mentioned American frigate; which magistrates and naval officer refused giving them up, although demanded by His Britannic Majesty's consul, as well as the captains of the ships from which the said men had deserted; the captains and commanders of His Majesty's ships and vessels under my command are, therefore, hereby required and directed, in case of meeting with the American frigate Chesapeake at sea, and without the limits of the United States, to show to the captain of her this order, and to require to search his ship for the deserters from the before-mentioned ships, and to proceed and search for the same. And, if a similar demand should be made by the American, he is permitted to search for deserters from their service, according to the customs and usages of civilized nations, on terms of peace and amity with each other.

Given under my hand, at Halifax, Nova Scotia, the 1st day of June, 1807.

G. C. BERKELEY.

To the respective captains and commanders of His Majesty's ships and vessels on the North American station.

B. BARRON'S REPORT

NAVY YARD, WASHINGTON, *April* 7, 1807.

SIR:

I HAVE the honor to enclose you the result of my inquiries relating to the men mentioned in your letter of yesterday. . . .

William Ware, pressed from on board the brig Neptune, Captain Crafts, by the British frigate Melampus, in the Bay of Biscay, and has served on board the said frigate fifteen months.

William Ware is a native American; born on Pipe creek, Frederick county, State of Maryland, at Bruce's Mills, and served his time at said Mills; he also lived at Ellicott's mills, near Baltimore, and drove a wagon several years between Hagerstown and Baltimore; he also served eighteen months on board the United States' frigate Chesapeake, under the command of Commodore Morris and Captain James Barron; he is an Indian looking man.

Daniel Martin was pressed at the same time and place; he is a native of Westport, in Massachusetts, about thirty miles to the eastward of Newport, Rhode Island; served his time out of New York with Captain Marrowby in the Caledonian; refers to Mr. Benjamin Davis, merchant, and Mr. Benjamin Corce, of Westport; he is a colored man.

John Strachan, born on the Eastern Shore of Maryland, Queen Anne's county, between Centreville and Queen's town; refers to Mr. John Price and —— Pratt, Esq., on Kent island, who know his relations; Strachan sailed in the brig Martha Bland, Captain Wivill, from Norfolk to Dublin, and from thence to Liverpool; he there left the brig, and shipped on board an English Guineaman; he was pressed on board the Melampus, off Cape Finisterre; to better his situation he consented to enter, being determined to make his escape when opportunity offered; he served on board the frigate two years; he is a white man, about five feet seven inches high.

William Ware and John Strachan have protections; Daniel Martin says he lost his after leaving the frigate.

John Little, alias Francis, and Ambrose Watts, escaped from the Melampus at the same time; known to the above persons to be Americans, but have not been entered by my recruiting officer.

William Ware, Daniel Martin, and John Strachan, state that, some time in February last, there was an entertainment on board the Melampus, lying then in Hampton Roads; that while the officers of —— were

engaged, and all the ship's boats, except the captain's gig, being hoisted in, themselves, and the two other men mentioned, availed themselves of a moment to seize the gig and row off; that, as soon as they had got into the boat, they were hailed to know what they were going to do; they replied they were going ashore; a brisk fire of musketry instantly commenced from the ship; that, in defiance of balls, and the hazard of their lives, they continued to pull, and finally effected their escape to land, namely, Lowell's Point; that they then carefully hauled up the boat on the beach, rolled up the coat, and placed that and the oars in the boat, gave three cheers, and moved up the country.

United States' frigate Chesapeake, Chesapeake Bay, *June* 23, 1807.

Sir:

Yesterday at 6., A. M., the wind became favorable, and knowing your anxiety that the ship should sail with all possible despatch, we weighed from our station in Hampton Roads and stood to sea. In Lynnhaven bay we passed two British men of war, one of them the Bellona, the other the Melampus; their colors flying, and their appearance friendly. Some time afterwards, we observed one of the two line-of-battle ships that lay off Cape Henry to get under way, and stand to sea; at this time the wind became light, and it was not until near four in the afternoon that the ship under way came within hail. Cape Henry then bearing northwest by west, distance three leagues, the communication, which appeared to be her commander's object for speaking the Chesapeake, he said he would send on board; on which I ordered the Chesapeake to be hove to for his convenience. On the arrival of the officer he presented me with the enclosed paper (No. 1.) from the captain of the Leopard, and a copy of an order from Admiral Berkeley, which another officer afterwards took back, to which I gave the enclosed answer, (No. 2.) and was waiting for his reply. About this time I observed some appearance of a hostile nature, and said to Captain Gordon that it was possible they were serious, and requested him to have his men sent to their quarters with as little noise as possible, not using those ceremonies which we should have done with an avowed enemy, as I fully supposed their arrangements were more menace than any thing serious. Captain Gordon immediately gave the orders to the officers and men to go to quarters, and have all things in readiness; but before a match could be lighted, or the quarter-bill of any division

examined, or the lumber on the gun-deck, such as sails, cables, &c., could be cleared, the commander of the Leopard hailed; I could not hear what he said, and was talking to him, as I supposed, when she commenced a heavy fire, which did great execution.

It is distressing to me to acknowledge, that I found from the advantage they had gained over our unprepared and unsuspicious state, did not warrant a longer opposition; nor should I have exposed this ship and crew to so galling a fire had it not been with the hope of getting the gun-deck clear, so as to have made a more formidable defence; consequently our resistance was but feeble. In about twenty minutes after I ordered the colors to be struck, and sent Lieutenant Smith on board the Leopard to inform her commander that I considered the Chesapeake her prize. To this message I received no answer; the Leopard's boat soon after came on board, and the officer who came in her demanded the muster book. I replied the ship and books were theirs, and if he expected to see the men he must find them. They called on the purser who delivered his book, and the men were examined; and the three men demanded at Washington, and one man more, were taken away. On their departure from the ship I wrote the commander of the Leopard the enclosed, (No. 3,) to which I received the answer, (No. 4.) On finding that the men were his only object, and that he refused to consider the ship his prize, and the officers and crew his prisoners, I called a council of our officers, and requested their opinion relative to the conduct it was now our duty to pursue. The result was that the ship should return to Hampton Roads, and there wait your further orders. Enclosed you have a list of the unfortunate killed and wounded, as also a statement of the damage sustained in the hull, spars, and rigging of the ship. . . .

With great respect, I have the honor to be, sir, your obedient servant,

JAMES BARRON.

Hon. Robert Smith, *Secretary of the Navy, Washington.*

No. 1.

His Majesty's ship Leopard, at Sea, *June* 22, 1807.

The captain of His Britannic Majesty's ship Leopard has the honor to enclose the captain of the United States' ship Chesapeake an order from the honorable Vice Admiral Berkeley, commander-in-chief of His

Majesty's ships on the North American station, respecting some deserters from the ships (therein mentioned) under his command, and supposed to be now serving as part of the crew of the Chesapeake.

The captain of the Leopard will not presume to say any thing in addition to what the commander-in-chief has stated, more than to express a hope that every circumstance respecting them may be adjusted in a manner that the harmony subsisting between the two countries may remain undisturbed.

To the Commander of the United States' Ship Chesapeake.

No. 2.

At Sea, *June* 22, 1807.

I know of no such men as you describe. The officers that were on the recruiting service for this ship were particularly instructed by the Government, through me, not to enter any deserters from His Britannic Majesty's ships, nor do I know of any being here. I am also instructed never to permit the crew of any ship that I command to be mustered by any other but their own officers. It is my disposition to preserve harmony, and I hope this answer to your despatch may prove satisfactory.

JAMES BARRON.

To the Commander of His Britannic Majesty's Ship Leopard.

No. 3.

Chesapeake, at Sea, *June* 22, 1807.

Sir:

I consider the frigate Chesapeake your prize, and am ready to deliver her to any officer authorized to receive her. By the return of the boat I shall expect your answer. . . .

JAMES BARRON.

To the Commander of His Britannic Majesty's Ship Leopard.

No. 4.

Leopard, at Sea, *June* 22, 1807.

Sir:

Having to the utmost of my power fulfilled the instructions of my commander-in-chief, I have nothing more to desire, and must in consequence proceed to join the remainder of the squadron, repeating that I

am ready to give you every assistance in my power, and do most sincerely deplore that any lives should have been lost in the execution of a service which might have been adjusted more amicably not only with respect to ourselves, but the nations to which we respectively belong. . . .

S. P. HUMPHREYS.

To the Commander of the United States' Ship Chesapeake.

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), III, 12–19 *passim.*

120. List of Foreign Restrictions of Neutral Trade (1793–1808)

BY SECRETARY JAMES MADISON

This list is a strong witness of the difficulties which beset the foreign relations of the United States during Jefferson's two administrations. Though the orders and decrees of the belligerent powers affected all neutral trade, they operated chiefly against the United States, which was almost the only neutral commercial nation. — For Madison, see No. 40 above. — Bibliography as in No. 116 above.

DEPARTMENT OF STATE, *December* 21, 1808.

THE Secretary of State, in pursuance of the resolution of the Senate of the 14th of November, respectfully reports to the President of the United States copies of such belligerent acts, decrees, orders, and proclamations as affect neutral rights of commerce, and as have been attainable in the Department of State, with the exception, however, of sundry acts, particularly blockades, of doubtful import or inferior importance, which it was supposed would have inconveniently extended the delay and the size of the report.

JAMES MADISON.

I. THE ACTS, ORDERS IN COUNCIL, &c. OF GREAT BRITAIN.

1793, March 25.	Extract from the	Russian	treaty.
May 25.	"	"	Spanish.
July 14.	"	"	Prussian.
August 30.	"	"	Austrian.

1793, June 8.	Additional instructions with respect to corn, meal, &c.
Nov. 6.	Detention of neutral vessels, laden with French colonial productions, &c.
1794, January 8.	Revocation of the last order, and the enactment of other regulations.
1798, January 25.	Revocation of the last one, and the enactment of new regulations.
1799, March 22.	Blockade of all the ports of Holland.
Nov. 27.	Suspension of the blockade of Holland.
1803, June 24.	Direct trade between neutrals and the colonies of enemies not to be interrupted, unless, upon the outward voyage, contraband supplies shall have been furnished by the neutrals.
1804, April 12.	Instructions concerning blockades, communicated by Mr. Merry.
" "	Conversion of the siege of Curaçoa into a blockade.
Aug. 9,	Blockade of Fécamp, &c.
1805, Aug. 17,	Direct trade with enemy's colonies subjected to restrictions, &c.
1806, April 8.	Blockade of the Ems, Weser, &c.
May 16.	Blockade from the Elbe to Brest.
Sept. 25.	Discontinuance of the last blockade in part.
1807, January 7.	Interdiction of the trade, from port to port, of France.
June 26.	Blockade of the Ems, &c.
Oct. 16.	Proclamation recalling seamen.
Nov. 11.	Three orders in council.
" 25.	Six do. do.
1808, Jan. 2.	Blockade of Carthagena, &c.
March 28.	Act of Parliament for carrying orders of council into effect.
April 11.	Order in council permitting neutral vessels, without papers, to carry supplies to the West Indies.
" 14.	Act of Parliament prohibiting exportation of cotton, wool, &c.
" "	Act of Parliament making valid certain orders in council.

1808, May 4. Blockade of Copenhagen and of the island of Zealand.

June 23. Act of Parliament regulating trade between the United States and Great Britain.

Oct. 14. Admiral Cochrane's blockade of French Leeward islands. . . .

II. THE DECREES OF FRANCE.

1793, May 9. Authorizes French vessels to arrest and bring into the ports of the republic vessels laden with provisions destined for an enemy port.

1793, May 23. Exempts American vessels from the operation of the decree of the 9th.

1793, May 28. Suspends the decree of the 23d of May.

1793, July 1. The decree of the 23d again enforced.

1793, July 27. The decree of the 23d of May repealed, and that of the 9th of May enforced.

1794, November 18, (25th Brumaire 3d year.) General regulations; the most important is, that merchandise belonging to the enemy is made liable to seizure in neutral vessels, until the enemy shall exempt from seizure French merchandise similarly situated.

1795, January 3, (14th Nivose 3d year.) Repeals the fifth article of the above, and exempts enemy goods from capture in neutral vessels.

1796, July 2, (14th Messidor, 4th year.) The French will treat neutral nations as they suffer themselves to be treated by the English.

1797, March 2, (17th Ventose, 5th year.) Enemy's property in neutral vessels liable to confiscation; makes necessary rôles d'équipages.

1798, January 18, (29th Nivose, 6th year.) The character of vessels to be determined by that of their cargoes.

1799, March 18, (28th Ventose, 7th year.) Explains the fourth article of the decree of the 2d of March, 1797.

1799, October 29, (8th Brumaire, 7th year.) Neutrals found on board enemy vessels liable to be treated as pirates.

1799, November 14, (24th Brumaire, 7th year.) Suspends the operation of the above decree of the 29th of October.

1800, December 13, (23d Frimaire, 8th year.) Repeals the first article of the law of the (29th Nivose, 6th year,) 18th January, 1798.
1800, December 19, (29th Frimaire, 8th year.) Enforces the regulations of the 26th of July, 1778.
1806, November 21. Berlin decree.
1807, December 17. Milan decree.
1808, April 17. Bayonne decree. . . .

III. DECREES OF SPAIN.

1800, February 15. Blockade of Gibraltar.
1807, February 19. In imitation of the Berlin decree.
1808, January 3. In imitation of the Milan decree.

American State Papers, Foreign Relations (edited by Walter Lowrie and Matthew St. Clair Clarke, Washington, 1832), III, 262–292 *passim*.

121. Argument for the Embargo (1808)

BY SENATOR WILLIAM BRANCH GILES

Giles, from Virginia, served in Congress almost continuously from 1791 to 1815. He was a strong supporter of Jefferson. This speech for the embargo is the most spirited one that was delivered in defence of that measure; but even Giles, who saw a halo around all the acts of the administration, could bestow little more than negative praise upon the embargo. — Bibliography: Channing and Hart, *Guide*, § 171.

MR. PRESIDENT, I have always understood that there were two objects contemplated by the embargo laws — The first, precautionary, operating upon ourselves — The second, coercive, operating upon the aggressing belligerents. Precautionary, in saving our seamen, our ships and our merchandize from the plunder of our enemies, and avoiding the calamities of war. Coercive, by addressing strong appeals to the interests of both the belligerents. The first object has been answered beyond my most sanguine expectations. To make a fair and just estimate of this measure, reference should be had to our situation at the time of its adoption. At that time, the aggressions of both the belligerents were such, as to leave the United States but a painful alternative in the choice of one of three measures, to wit, the embargo, war, or submission. . . .

It was found that merchandize to the value of one hundred millions

of dollars was actually afloat, in vessels amounting in value to twenty millions more — That an amount of merchandize and vessels equal to fifty millions more, was expected to be shortly put afloat, and that it would require fifty thousand seamen to be employed in the navigation of that enormous amount of property. The administration was informed of the hostile edicts of France previously issued, and then in a state of execution, and of an intention on the part of Great Britain to issue her orders, the character and object of which were also known. The object was, to sweep this valuable commerce from the ocean. — The situation of this commerce was as well known to Great Britain, as to ourselves, and her inordinate cupidity could not withstand the temptation of the rich booty, she vainly thought within her power. This was the state of information at the time this measure was recommended.

The President of the United States ever watchful and anxious for the preservation of the persons and property of all our fellow citizens, but particularly of the merchants, whose property is most exposed to danger, and of the seamen whose persons are also most exposed, recommended the embargo for the protection of both; and it has saved and protected both. . . . It is admitted by all, that the embargo laws have saved this enormous amount of property, and this number of seamen, which, without them, would have forcibly gone into the hands of our enemies, to pamper their arrogance, stimulate their injustice, and increase their means of annoyance.

I should suppose, Mr. President, this saving worth some notice. But, Sir, we are told that instead of protecting our seamen, it has driven them out of the country, and into foreign service. I believe, Sir, that this fact is greatly exaggerated. But, Sir, suppose for a moment that it is so, the government has done all, in this respect, it was bound to do. It placed these seamen in the bosoms of their friends and families, in a state of perfect security; and if they have since thought proper to abandon these blessings, and emigrate from their country, it was an act of choice, not of necessity. . . .

. . . But, Sir, these are not the only good effects of the embargo. It has *preserved our peace — it has saved our honor — it has saved our national independence.* Are these savings not worth notice? Are these blessings not worth preserving? . . .

The gentleman next triumphantly tells us that the embargo laws have not had their expected effects upon the aggressing belligerents. That they have not had their complete effects; that they have not caused a

revocation of the British orders and French decrees, will readily be admitted; but they certainly have not been without beneficial effects upon those nations. . . .

The first effect of the embargo, upon the aggressing belligerents, was to lessen their inducements to war, by keeping out of their way, the rich spoils of our commerce, which had invited their cupidity, and which was saved by those laws. . . .

The second effect, which the embargo laws have had on the aggressing belligerents, is to enhance [the] prices of all American produce, especially articles of the first necessity to them, to a considerable degree, and, if it be a little longer persisted in, will either banish our produce, (which I believe indispensable to them,) from their markets altogether, or increase the prices to an enormous amount — and, of course, we may hope will furnish irresistible inducements for a relaxation of their hostile orders & edicts. . . .

All these considerations must present strong inducements to Great Britain to revoke her hostile orders; but she has hitherto refused to do so.

Let a candid inquiry be now made into the actual causes of this refusal. The gentleman from Massachusetts, (Mr. Lloyd) informs us, that the British cabinet shewed some solicitude about the embargo laws, till some time between the 22d of June and the 29th of July last, within which time, information flowed in upon them, which relieved them from this solicitude . . .

What was the information that flowed in upon the British cabinet, from the 22d June to the 29th July? That period announced two events. First, the wonderful revolution in Spain; although this event must have been pretty well understood in London before even the 22d June, perhaps not to its full extent. The other event was, the paltry attempt at the resistance of the embargo laws in Vermont, magnified into a formidable insurrection against the government; and the unhappy discontents manifested in Boston and its neighborhood, together with the results of the elections in Massachusetts. All these circumstances were certainly greatly exaggerated, or perhaps, utterly misrepresented. Here, then sir, we clearly discern the real causes of the refusal of the British cabinet to meet the just and honorable proposition of the United States, and to revoke their orders in council. The Spanish revolution, no doubt, contributed to their determination; but the principal cause, was our [own] divisions and discontents, either wholly misrepresented or highly exaggerated. . . .

. . . The refusal of the British government, to revoke their hostile orders, therefore, appears not to have been founded upon a calculation of its interests upon correct information; but upon a miscalculation of its interests upon misinformation. . . .

It is asked, Sir, how do the embargo laws operate on France? It is readily admitted, that the commercial connection between the United States and France, is not of such a nature as to make a suspension of it operate as injuriously to France herself particularly in the interior, as on G. Britain. But our commerce cannot be deemed unimportant to France in the feeble state of her navy. . . .

The French West India islands too, have felt the pressure with great severity. . . .

I think . . . Sir, I am warranted in concluding, that if the embargo laws have failed of complete success, their failure has been owing to extraordinary causes which could neither have been foreseen nor anticipated at the time of the adoption of the measure, and therefore cannot furnish any imputation against its policy or wisdom.

. . . I have said, Sir, that there are no substitutes for the embargo, but *war or submission*. I will now proceed to prove this position — a repeal of the embargo without a substitute, is *submission*, if with a substitute, it is *war*. Gentlemen in the opposition, seem fully sensible of the delicacy and urgency of this part of the question. When pressed for their substitute, they manifest vast reluctance in producing it. . . .

. . . the gentleman from Connecticut . . . intimates merely that he is in favor of an armed commerce. . . .

. . . Would he extend it to acts of reprisal? If so, it is immediate war. — Would he stop short of that. It would still be war; but of a more inefficient kind. If our vessels are to arm, I presume their arms are to be used in self defence; they would be used against both the belligerents. In the present temper of Great-Britain, the first gun fired in a spirit of hostility, even with a blank cartridge; or if it were a popgun, would be instant war. It would be the signal to her navy to seize upon the whole of our commerce, which would be spread over the ocean, the moment of raising the embargo. The gentleman's substitute I, therefore, believe to be war, and war of the most inefficient kind. A repeal of the embargo, without a substitute, is submission. — Submis-[s]ion to what! to colonization, to taxation, to tribute!!

[William B.] Giles, *Speech on the Resolution of Mr. Hillhouse, to Repeal the Embargo Laws*, November 24, 1808 (Boston, [1808]), 4–15 *passim*.

122. Repeal of the Embargo (1809)

BY JUSTICE JOSEPH STORY (1831)

The national legislative career of Story, one of the most famous and most learned of American jurists, was limited to one session of Congress. He was a Democrat and had advocated the adoption of the embargo; but after seeing its effects in New England he declared that its continuance would be dangerous, and devoted his whole attention while in Congress to its repeal and to the advocation of an increase in the navy. The following extract is taken partly from an autobiography written in 1831 and partly from a letter addressed to Edward Everett. — Bibliography as in No. 121 above.

THERE is one other act of my brief career, which I notice, only because it has furnished an occasion for a remark of Mr. Jefferson in the recent posthumous publication of his Correspondence, (4th vol. p. 148.) It was during the session of 1808–1809 that the embargo, unlimited in duration and extent, was passed, at the instance of Mr. Jefferson, as a retaliatory measure upon England. It prostrated the whole commerce of America, and produced a degree of distress in the New England States greater than that which followed upon the War. I always thought that it was a measure of doubtful policy, but I sustained it, however, with all my little influence for the purpose of giving it a fair experiment. A year passed away, and the evils, which it inflicted upon ourselves, were daily increasing in magnitude and extent; and in the mean time, our navigation being withdrawn from the ocean, Great Britain was enjoying a triumphant monopoly of the commerce of the world. Alive to the sufferings of my fellow-citizens, and perceiving that their necessities were driving them on to the most violent resistance of the measure, — and, indeed, to a degree which threatened the very existence of the Union, — I became convinced of the necessity of abandoning it, and as soon as I arrived at Washington I held free conversations with many distinguished members of the Republican party on the subject, which were soon followed up by consultations of a more public nature. I found that as a measure of retaliation the system had not only failed, but that Mr. Jefferson from pride of opinion, as well as from that visionary course of speculation, which often misled his judgment, was resolutely bent upon maintaining it at all hazards. He professed a firm belief that Great Britain would abandon her orders in council, if we persisted in the embargo; and having no other scheme to offer in case of the failure of this, he maintained in private conversation the in-

dispensable necessity of closing the session of Congress without any attempt to limit the duration of the system. The consequence of this would be an aggravation for another year of all the evils which then were breaking down New England. I felt that my duty to my country called on me for a strenuous effort to prevent such calamities. And I was persuaded, that if the embargo was kept on during the year, there would be an open disregard and resistance of the laws. I was unwearied, therefore, in my endeavors to impress other members of Congress with a sense of our common dangers. Mr. Jefferson has imputed mainly to me the repeal of the embargo, in a letter to which I have already alluded, and has stigmatized me on this account with the epithet of "pseudo-republican." "Pseudo-republican" of course, I must be; as every one was in Mr. Jefferson's opinion, who dared to venture upon a doubt of his infallibility. But Mr. Jefferson has forgotten to mention the reiterated attempts made by him through a committee of his particular adherents (Mr. Giles, Mr. Wilson, Mr. C. Nicholas, and Mr. G. W. Campbell,) to detach me from my object. In the course of those consultations, I learned the whole policy of Mr. Jefferson; and was surprised as well as grieved to find, that in the face of the clearest proofs of the failure of his plan, he continued to hope against facts. Mr. Jefferson has honored me by attributing to my influence the repeal of the embargo. I freely admit that I did all I could to accomplish it, though I returned home before the act passed. The very eagerness with which the repeal was supported by a majority of the Republican party ought to have taught Mr. Jefferson that it was already considered by them as a miserable and mischievous failure. It is not a little remarkable, that many years afterwards, Mr. Jefferson took great credit to himself for yielding up, *suâ sponte*, this favorite measure, to preserve, as he intimates, New England from open rebellion. What in me was almost a crime, became, it seems in him an extraordinary virtue. The truth is, that if the measure had not been abandoned when it was, it would have overturned the Administration itself, and the Republican party would have been driven from power by the indignation of the people, goaded on to madness by their sufferings. . . .

The whole influence of the Administration was directly brought to bear upon Mr. Ezekiel Bacon and myself, to seduce us from what we considered a great duty to our country, and especially to New England. We were scolded, privately consulted, and argued with, by the Administration and its friends, on that occasion. I knew, at the time, that Mr.

Jefferson had no ulterior measure in view, and was determined on protracting the embargo for an indefinite period, even for years. I was well satisfied, that such a course would not and could not be borne by New England, and would bring on a direct rebellion. It would be ruin to the whole country. Yet Mr. Jefferson, with his usual visionary obstinacy, was determined to maintain it; and the New England Republicans were to be made the instruments. Mr. Bacon and myself resisted, and measures were concerted by us, with the aid of Pennsylvania, to compel him to abandon his mad scheme. For this he never forgave me. The measure was not carried until I left Congress for home. The credit of it is due to the firmness and integrity of Mr. Bacon.

One thing, however, I did learn, (and I may say it to you,) while I was a member of Congress; and that was, that New England was expected, so far as the Republicans were concerned, to do every thing, and to have nothing. They were to obey, but not to be trusted. This, in my humble judgment, was the steady policy of Mr. Jefferson at all times. We were to be kept divided, and thus used to neutralize each other. So it will always be, unless we learn wisdom for ourselves and our own interests.

Joseph Story, *Life and Letters* (edited by William W. Story, Boston, 1851), I, 183–187 *passim*.

CHAPTER XIX — WAR OF 1812

123. A New England Secessionist (1811)

BY REPRESENTATIVE JOSIAH QUINCY

Quincy was conspicuous as a statesman, administrator, and educator. In Congress he was a leader of a hopeless but ardent minority of extreme Federalists. He saw that danger lurked in the growth of the slave power, and this foresight influenced the arguments in his most famous speech, from which this extract is taken. His later fame rests upon his administration of municipal affairs in Boston and upon his presidency of Harvard College. — For Quincy, see Edmund Quincy, *Life of Josiah Quincy*. — Bibliography as in No. 113 above. — For similar protests, see No. 113 above.

MR. SPEAKER, There is a great rule of human conduct, which he who honestly observes, cannot err widely from the path of his sought duty. It is, to be very scrupulous concerning the principles you select as the test of your rights and obligations; to be very faithful in noticing the result of their application; and to be very fearless, in tracing and exposing their immediate effects and distant consequences. Under the sanction of this rule of conduct, I am compelled to declare *it as my deliberate opinion, that, if this bill passes, the bonds of this union are, virtually, dissolved; that the states, which compose it are free from their moral obligations, and that as it will be the right of all, so it will be the duty of some to prepare, definitely, for a separation; amicably, if they can, violently, if they must.* . . .

The bill, which is now proposed to be passed, has this assumed principle for its basis; that the three branches of this national government, without recurrence to conventions of the people, in the states, or to the legislatures of the states, are authorised to admit new partners to a share of the political power, in countries out of the original limits of the United States. Now, this assumed principle, I maintain to be altogether without any sanction in the constitution. I declare it to be a manifest and atrocious usurpation of power; of a nature, dissolving, according to undeniable principles of moral law, the obligations of our national compact; and leading to all the awful consequences, which flow from such a state of things. . . .

. . . Sir, what is this power, we propose now to usurp? *Nothing less than a power, changing all the proportions of the weight and influence, possessed by the potent sovereignties composing this Union.* A stranger is to be introduced to an equal share, without their consent. Upon a principle, pretended to be deduced from the constitution, this government, after this bill passes, may and will multiply foreign partners in power, at its own mere motion; at its irresponsible pleasure; in other words, as local interests, party passions, or ambitious views may suggest. . . . This is not so much a question, concerning the exercise of sovereignty, as it is who shall be sovereign. Whether the proprietors of the good old United States shall manage their own affairs in their own way; or whether they, and their constitution, and their political rights, shall be trampled under foot by foreigners, introduced through a breach of the constitution. The proportion of the political weight of each sovereign state, constituting this union depends upon the number of the states, which have a voice under the compact. This number the constitution permits us to multiply at pleasure, within the limits of the original United States; observing only the expressed limitations in the constitution. But when, in order to increase your power of augmenting this number, you pass the old limits, you are guilty of a violation of the constitution, in a fundamental point; and in one also, which is totally inconsistent with the intent of the contract, and the safety of the states, which established the association. . . .

But, says the gentleman from Tennessee, (Mr. Rhea,) "these people have been seven years citizens of the United States." I deny it, Sir — As citizens of New-Orleans, or of Louisiana, they never have been, and by the mode proposed they never will be, citizens of the U. States. They may be girt upon us for a moment, but no real cement can grow from such an association. . . . But, says the same gentleman, "If I have a farm, have not I a right to purchase another farm, in my neighbourhood, and settle my sons upon it, and in time admit them to a share, in the management of my household?" Doubtless, Sir. But are these cases parallel? Are the three branches of this government owners of this farm, called the United States? I desire to thank heaven, they are not. I hold my life, liberty and property, and the people of the state, from which I have the honor to be a representative, hold theirs, by a better tenure than any this national government can give. Sir, I know your virtue. And I thank the Great Giver of every good gift, that neither the gentleman from Tennessee, nor his comrades, nor

any, nor all the members of this house, nor of the other branch of the legislature, nor the good gentleman, who lives in the palace yonder, nor all combined, can touch these my essential rights and those of my friends and constituents, except in a limited and prescribed form. No, sir. We hold these by the laws, customs, and principles of the commonwealth of Massachusetts. Behind her ample shield, we find refuge, and feel safety. I beg gentlemen not to act upon the principle, that the commonwealth of Massachusetts is their farm.

But, the gentleman adds, "what shall we do, if we do not admit the people of Louisiana into our union? our children are settling that country." Sir, it is no concern of mine what he does. Because his children have run wild and uncovered into the woods, is that a reason for him to break into my house, or the houses of my friends, to filch our children's clothes, in order to cover his children's nakedness? This constitution never was, and never can be, strained to lap over all the wilderness of the west, without essentially affecting both the rights and convenience of its real proprietors. It was never constructed to form a covering for the inhabitants of the Missouri and the Red River country. And whenever it is attempted to be stretched over them, it will rend asunder. . . .

. . . Is there a moral principle of public law better settled, or more conformable to the plainest suggestions of reason, than that the violation of a contract by one of the parties may be considered as exempting the other from its obligations? . . . Again — it is settled as a principle of morality, among writers on public law, that no person can be obliged, beyond his intent at the time of the contract. Now who believes, who dare assert, that it was the intention of the people, when they adopted this constitution, to assign, eventually, to New-Orleans and Louisiana, a portion of their political power; and to invest all the people, those extensive regions might hereafter contain, with an authority over themselves and their descendants? . . . Do you suppose the people of the Northern and Atlantic States will, or ought to look on with patience and see representatives and senators, from the Red River and Missouri, pouring themselves upon this and the other floor, managing the concerns of a sea-board fifteen hundred miles, at least, from their residence; and having a preponderancy in councils, into which, constitutionally, they could never have been admitted? I have no hesitation upon this point. They neither will see it, nor ought to see it, with content. It is the part of a wise man to foresee danger and to hide himself. This great usurpation, which creeps into this House, under the plausible

appearance of giving content to that important point, New-Orleans; starts up a gigantic power to control the nation. Upon the actual condition of things, there is, there can be, no need of concealment. It is apparent to the blindest vision. By the course of nature, and conformable to the acknowledged principles of the constitution, the sceptre of power, in this country, is passing towards the Northwest. Sir, there is to this no objection. The right belongs to that quarter of the country — Enjoy it. It is yours. Use the powers granted, as you please. But take care, in your haste after effectual dominion, not to overload the scale by heaping it with these new acquisitions. Grasp not too eagerly at your purpose. In your speed after uncontrolled sway, trample not down this constitution. Already the old states sink in the estimation of members, when brought into comparison with these new countries. We have been told that "*New-Orleans was the most important point in the union.*" A place, out of the union, the most important place within it! We have been asked "*what are some of the small states, when compared with the Mississippi Territory?*" The gentleman from that territory (Mr. Poindexter) spoke the other day of the Mississippi, as "*of a high road between*" — Good heavens! between what? Mr. Speaker. — Why "*The Eastern and Western States.*" So that all the northwestern territories, all the countries, once the extreme western boundary of our union, are hereafter to be denominated *Eastern States!* — . . .

. . . There is no limit to men's imaginations, on this subject, short of California and Columbia river. . . .

Mr. Speaker. What is this liberty of which so much is said? . . . That which we call liberty is that principle, on which the essential security of our political condition depends. It results from the limitations of our political system, prescribed in the constitution. These limitations, so long as they are faithfully observed, maintain order, peace and safety. When they are violated, in essential particulars, all the concurrent spheres of authority rush against each other; and disorder, derangement and convulsion are, sooner, or later, the necessary consequences.

With respect to this love of our union, concerning which so much sensibility is expressed, I have no fear about analysing its nature. There is in it nothing of mystery. It depends upon the qualities of that union, and it results from its effects upon our and our country's happiness. It is valued for "that sober certainty of waking bliss," which it enables us to realise. It grows out of the affections; and has not,

and cannot be made to have, any thing universal in its nature. Sir, I confess it, the first public love of my heart is the Commonwealth of Massachusetts. There is my fireside; there are the tombs of my ancestors —

> *"Low lies that land, yet blest with fruitful stores,*
> *Strong are her sons, though rocky are her shores;*
> *And none, ah! none, so lovely to my sight,*
> *Of all the lands, which heaven o'erspreads with light."*

The love of this union grows out of this attachment to my native soil, and is rooted in it. I cherish it, because it affords the best external hope of her peace, her prosperity, her independence. I oppose this bill from no animosity to the people of New-Orleans; but from the deep conviction that it contains a principle, incompatible with the liberties and safety of my country. I have no concealment of my opinion. The bill, if it passes, is a death-blow to the constitution. It may, afterwards, linger; but lingering, its fate will, at no very distant period, be consummated.

Josiah Quincy, *Speech on the Passage of the Bill to enable the People of the Territory of Orleans to form a Constitution and State Government*, etc., January 14, 1811 (Baltimore, 1811), 4–23 *passim*.

124. Capture of the Java (1812)

BY COMMODORE WILLIAM BAINBRIDGE

The reputation Bainbridge possessed when the navy was organized in 1798, enhanced by his conduct during the Tripolitan War, secured him a prominent naval position during the War of 1812. At the time of the capture of the Java, here recorded, he commanded a squadron composed of the Constitution, Essex, and Hornet, vessels that did valiant service during the war. — Bibliography: Winsor, *Narrative and Critical History*, VII, 420–427, 457; Channing and Hart, *Guide*, § 172.

TUESDAY, 29th Dec. 1812 — At 9 A.M. discovered two strange sails on the weather bow. At 10, discovered the strange sails to be ships, one of them stood in for the land, and the other stood off shore in a direction towards us — At 10 45, we tacked ship to the northward and westward, and stood for the sail standing towards us — At 11 A.M. tacked to the southward and eastward, hauled up the mainsail and took in the royals — At 11 30, made the private signal for the

day, which was not answered, and then set the mainsail and royals to draw the strange sail off from the neutral coast, and separate her from the sail in company.

Wednesday, 30th Dec. 1812 — (Nautical time) — In lat. 13 deg. 6m. S. and long. 38 W. 10 leagues from the coast of Brazil. — Commences with clear weather and moderate breezes from E. N. E. hoisted our ensign and pendant — At 15 minutes past meridian, the ship hoisted her colors, an English ensign, having a signal flying at her main — red, yellow, red.

At 1 26 P.M. being sufficiently from the land, and finding the ship to be an English frigate, took in the mainsail and royals, tacked ship and stood for the enemy — At 1 50 P.M. the enemy bore down with an intention of raking us, which we avoided by wearing — At 2 P.M. the enemy being within half a mile of us, and to windward, and having hauled down his colors, except an Union Jack at the mizen-mast-head, induced me to give orders to the officer of the 3d division to fire one gun ahead of the enemy to make him shew his colors, which being done, brought on a fire from us of the whole broadside, on which the enemy hoisted his colors and immediately returned our fire. A general action with round and grape then commenced, the enemy keeping at a much greater distance than I wished, but could not bring him to close action without exposing ourselves to several rakes. Considerable manœuvres were made by both vessels to rake and avoid being raked. The following minutes were taken during the action:

At 2 10 P.M. Commenced the action within good grape and cannister distance, the enemy to windward (but much further than I wished.)

At 2 30 our wheel was shot entirely away.

2 40 determined to close with the enemy, notwithstanding his raking — set the fore and mainsail, and luff'd up to him.

2 50 the enemy's jib-boom got foul of our mizen-rigging.

3 00 the head of the enemy's bowsprit and jib-boom shot away by us.

3 05 shot away the enemy's foremast by the board.

3 15 shot away his main-top-mast just above the cap.

3 40 shot away gaff and spanker-boom.

3 55 shot away his mizen-mast nearly by the board.

4 05 having silenced the fire of the enemy completely, and his colors in the main rigging being down, supposed he had struck, then hauled aboard the courses to shoot ahead to repair our rigging,

which was extremely cut, leaving the enemy a complete wreck; soon after, discovered the enemy's flag was still flying — hove too to repair some of our damage.

4 20 the enemy's main-mast went nearly by the board.

4 50 wore ship and stood for the enemy.

5 25, got very close to the enemy in a very effectual *raking position*, athwart his bows, and was at the very instant of raking him, when he most prudently struck his flag, for had he suffered the broadside to have raked him, his additional loss must have been extremely great, as he laid an unmanagable wreck upon the water. After the enemy had struck, wore ship and reefed the topsails, then hoisted out one of the only two remaining boats we had left out of eight, and sent lieutenant Parker, 1st of the Constitution, to take possession of the enemy, which proved to be his Britannic majesty's frigate Java, rated 38 but carrying 49 guns, and manned with upwards of 400 men, commanded by captain Lambert a very distinguished officer, who was mortally wounded. — The action continued from the commencement to the end of the fire, one hour and fifty-five minutes. The Constitution had 9 killed and 25 wounded. The enemy had 60 killed and 101 certainly wounded; but by a letter written on board the Constitution by one of the officers of the Java, and accidentally found, it is evident the enemy's wounded must have been considerably greater than as above stated, and must have died of their wounds previously to their being removed. The letter states 60 killed and 170 wounded. The Java had her own complement of men complete, and upwards of 100 supernumeraries, going to join the British ships of war in the East Indies, also several officers, passengers, going out on promotion. The force of the enemy in number of men, at the commencement of the action, was no doubt considerably greater than we have been able to ascertain, which is upwards of 400 men. The officers were extremely cautious in discovering the number. By her quarter bill she had one man more stationed to each gun than we had.

The Constitution was very much cut in her sails and rigging, and many of her spars injured. At 7 P.M. the boat returned with lieutenant Chads, the first lieutenant of the enemy's frigate, and lieutenant-general Hislop (appointed governor of

Bombay) major Walker and captain Wood belonging to his staff.

Captain Lambert of the Java was too dangerously wounded to be removed immediately. The cutter returned on board the prize for the prisoners, and brought captain Marshall master and commander of the British navy, who was passenger on board, as also several other naval officers destined for ships in the East Indies.

The Java was an important ship, fitted out in the completest manner, to carry lieutenant-gen. Hislop and his staff to Bombay, and several naval officers for different ships in the East Indies; and had despatches for St. Helena, Cape of Good Hope, and every British establishment in the India and China seas. She had on board copper for a 74 and two brigs building at Bombay, and I expect a great many other valuables; but every thing was blown up in her, except the officers' baggage, when we set her on fire at 3 P.M. on the 1st of January, 1813, (nautical time.)

H[ezekiah] Niles, editor, *The Weekly Register*, February 27, 1813 (Baltimore), III, 411.

125. Justification of the War (1813)

BY SPEAKER HENRY CLAY

Clay was for forty years a supreme leader in national affairs. He served his country as representative, senator, envoy, and cabinet officer, and remained to the last the most popular of the second generation of statesmen. He was primarily a partisan, but his ardor for the Union led him to propose many compromises that seemed necessary to the preservation of the unity of the nation, and to defend them with his surpassing oratory. He was at the head of the party in Congress that overcame Madison's reluctance to the declaration of war. — For Clay, see Winsor, *Narrative and Critical History*, VII, 324. — Bibliography: Channing and Hart, *Guide*, § 172.

THE war was declared because Great Britain arrogated to herself the pretension of regulating foreign trade, under the delusive name of retaliatory Orders in Council — a pretension by which she undertook to proclaim to American enterprise, "Thus far shalt thou go, and no farther." Orders which she refused to revoke after the alleged cause of their enactment had ceased; because she persisted in the act

of impressing American seamen; because she had instigated the Indians to commit hostilities against us; and because she refused indemnity for her past injuries upon our commerce. . . .

. . . But it is said, that the Orders in Council are done away, no matter from what cause; and, that having been the sole motive for declaring the war, the relations of peace ought to be restored. . . .

. . . I have no hesitation then in saying, that I have always considered the impressment of American seamen as much the most serious aggression. But, sir, how have those orders at last been repealed? Great Britain, it is true, has intimated a willingness to suspend their practical operation, but she still arrogates to herself the right to revive them upon certain contingencies, of which she constitutes herself the sole judge. She waives the temporary use of the rod, but she suspends it *in terrorem* over our heads. Supposing it was conceded to gentlemen that such a repeal of the Orders in Council, as took place on the 23d of June last, exceptionable as it is, being known before the war, would have prevented the war, does it follow that it ought to induce us to lay down our arms without the redress of any other injury? Does it follow, in all cases, that that which would have prevented the war in the first instance should terminate the war? By no means. It requires a great struggle for a nation, prone to peace as this is, to burst through its habits and encounter the difficulties of war. Such a nation ought but seldom to go to war. When it does, it should be for clear and essential rights alone, and it should firmly resolve to extort, at all hazards, their recognition. . . . And who is prepared to say that American seamen shall be surrendered the victims to the British principle of impressment? . . . It is in vain to assert the inviolability of the obligation of allegiance. It is in vain to set up the plea of necessity, and to allege that she cannot exist without the impressment of her seamen. The truth is, she comes, by her press gangs, on board of our vessels, seizes our native seamen, as well as naturalized, and drags them into her service. It is the case, then, of the assertion of an erroneous principle, and a practice not conformable to the principle — a principle which, if it were theoretically right, must be forever practically wrong. . . . If Great Britain desires a mark by which she can know her own subjects, let her give them an ear mark. The colors that float from the mast-head should be the credentials of our seamen. There is no safety to us, and the gentlemen have shown it, but in the rule that all who sail under the flag (not being enemies) are protected by the flag. It is impossible that this country

should ever abandon the gallant tars who have won for us such splendid trophies. . . .

The gentleman from Delaware sees in Canada no object worthy of conquest. . . . Other gentlemen consider the invasion of that country as wicked and unjustifiable. Its inhabitants are represented as unoffending, connected with those of the bordering States by a thousand tender ties, interchanging acts of kindness, and all the offices of good neighborhood. Canada innocent! Canada unoffending! Is it not in Canada that the tomahawk of the savage has been moulded into its deathlike form? From Canadian magazines, Malden, and others, that those supplies have been issued which nourish and sustain the Indian hostilities? . . . What does a state of war present? The united energies of one people arrayed against the combined energies of another; a conflict in which each party aims to inflict all the injury it can, by sea and land, upon the territories, property, and citizens of the other, subject only to the rules of mitigated war practised by civilized nations. The gentlemen would not touch the continental provinces of the enemy, nor I presume, for the same reason, her possessions in the West Indies. The same humane spirit would spare the seamen and soldiers of the enemy. The sacred person of His Majesty must not be attacked, for the learned gentlemen on the other side are quite familiar with the maxim, that the King can do no wrong. Indeed, sir, I know of no person on whom we may make war, upon the principles of the honorable gentlemen, except Mr. Stephen, the celebrated author of the Orders in Council, or the Board of Admiralty, who authorize and regulate the practice of impressment.

The disasters of the war admonish us, we are told, of the necessity of terminating the contest. If our achievements upon the land have been less splendid than those of our intrepid seamen, it is not because the American soldier is less brave. On the one element, organization, discipline, and a thorough knowledge of their duties, exist on the part of the officers and their men. On the other, almost everything is yet to be acquired. We have, however, the consolation that our country abounds with the richest materials, and that, in no instance, when engaged in an action, have our arms been tarnished. . . . It is true, that the disgrace of Detroit remains to be wiped off. . . . With the exception of that event, the war, even upon the land, had been attended by a series of the most brilliant exploits, which, whatever interest they may inspire on this side of the mountains, have given the greatest pleasure on the other. . . .

What cause, Mr. Chairman, which existed for declaring the war has been removed? We sought indemnity for the past and security for the future. The Orders in Council are suspended, not revoked; no compensation for spoliations; Indian hostilities, which were before secretly instigated, now openly encouraged; and the practice of impressment unremittingly persevered in and insisted upon. Yet Administration has given the strongest demonstrations of its love of peace. On the 29th June, less than ten days after the declaration of war, the Secretary of State writes to Mr. Russell, authorizing him to agree to an armistice, upon two conditions only; and what are they? That the Orders in Council should be repealed, and the practice of impressing American seamen cease, those already impressed being released. . . . When Mr. Russell renews the overture, in what was intended as a more agreeable form to the British Government, Lord Castlereagh is not content with a simple rejection, but clothes it in the language of insult. . . . The honorable gentleman from North Carolina (Mr. PEARSON) supposes, that if Congress would pass a law, prohibiting the employment of British seamen in our service, upon condition of a like prohibition on their part, and repeal the act of non-importation, peace would immediately follow. Sir, I have no doubt if such a law were passed, with all the requisite solemnities, and the repeal to take place, Lord Castlereagh would laugh at our simplicity. No, sir, Administration has erred in the steps which it has taken to restore peace, but its error has been not in doing too little but in betraying too great a solicitude for that event. An honorable peace is attainable only by an efficient war. My plan would be to call out the ample resources of the country, give them a judicious direction, prosecute the war with the utmost vigor, strike wherever we can reach the enemy, at sea or on land, and negotiate the terms of a peace at Quebec or Halifax. We are told that England is a proud and lofty nation that disdaining to wait for danger, meets it half-way. Haughty as she is, we once triumphed over her, and if we do not listen to the councils of timidity and despair we shall again prevail. In such a cause, with the aid of Providence, we must come out crowned with success; but if we fail, let us fail like men — lash ourselves to our gallant tars, and expire together in one common struggle, fighting for "seamen's rights and free trade."

Annals of Congress, 12 Cong., 2 sess. (Gales and Seaton, Washington, 1853), 667–676 *passim*.

126. "The Star-Spangled Banner" (1814)

BY FRANCIS SCOTT KEY

Key was a lawyer. His fame as a poet rests entirely upon this one lyric, the glowing words of which are harmonic with the patriotic enthusiasm of the moment that gave it form. — For Key and the circumstances under which the poem was written, see Samuel Tyler, *Memoir of Roger B. Taney*, 109–119; *Historical Magazine*, V, 282; G. H. Preble, *Three Historic Flags*, in *New England Historical and Genealogical Register*, XXVIII, 32–41, which gives the different versions of the song.

O! SAY can you see, by the dawn's early light,
What so proudly we hail'd at the twilight's last gleaming,
Whose broad stripes and bright stars through the perilous fight,
O'er the ramparts we watch'd were so gallantly streaming?
And the Rockets' red glare, the Bombs bursting in air,
Gave proof through the night that our Flag was still there;
O! say, does that star-spangled Banner yet wave,
O'er the Land of the free, and the home of the brave?

On that shore, dimly seen through the mists of the deep,
Where the foe's haughty host in dread silence reposes,
What is that, which the breeze o'er the towering steep,
As it fitfully blows, half conceals, half discloses?
Now it catches the gleam of the morning's first beam,
In full glory reflected now shines on the stream.
'Tis the star-spangled banner. O! long may it wave,
O'er the land of the free and the home of the brave.

And where is that band who so vauntingly swore,
That the havoc of war and the battle's confusion
A home and a country should leave us no more?
Their blood has wash'd out their foul footsteps' pollution.
No refuge could save the hireling and slave,
From the terror of flight or the gloom of the grave;
And the star-spangled banner in triumph doth wave,
O'er the land of the free and the home of the brave.

O! thus be it ever when freemen shall stand,
Between their lov'd home, and the war's desolation,
Blest with vict'ry and peace, may the Heav'n-rescued land,
Praise the power that hath made and preserv'd us a nation!

Then conquer we must, when our cause it is just,
And this be our motto — "In God is our Trust!"
And the star-spangled banner in triumph shall wave,
O'er the land of the free and the home of the brave.

Baltimore American, September 21, 1814; reprinted by *National Intelligencer* (Washington), September 27, 1814.

127. Campaign of New Orleans (1814–1815)

BY REVEREND GEORGE ROBERT GLEIG (1821)

Gleig began his military career as a subaltern under Wellington, and was then sent to America, where he took part in the campaigns against Washington, Baltimore, and New Orleans. At the end of the war he retired from the army and took orders. His account of the campaign in which he participated is considered the fairest of those written from the English side. — Bibliography: Winsor, *Narrative and Critical History*, VII, 420–427, 436–438; James Parton, *Andrew Jackson*, I, xvi–xvii; Channing and Hart, *Guide*, § 172.

. . . IT was evident that the longer an attack was delayed, the less likely was it to succeed; that something must be done immediately every one perceived, but how to proceed, was the difficulty. If we attempted to storm the American lines, we should expose ourselves to almost certain destruction from their artillery; to turn them, seemed to be impossible; and to draw their troops by any manœuvring from behind their entrenchments, was a thing altogether out of the question. . . .

. . . It was determined to divide the army, to send part across the river, who should seize the enemy's guns, and turn them on themselves; while the remainder should at the same time make a general assault along the whole entrenchment. . . .

. . . According to the preconcerted plan, Colonel Thornton's detachment was to cross the river immediately after dark. They were to push forward, so as to carry all the batteries, and point the guns before day light; when, on the throwing up of a rocket, they were to commence firing upon the enemy's line, which at the same moment was to be attacked by the main of our army. . . .

. . . But, unfortunately, the loss of time nothing could repair. Instead of reaching the opposite bank, at latest by midnight, dawn was beginning to appear before the boats quitted the canal. . . . day had

already broke, and the signal rocket was seen in the air, while they were yet four miles from the batteries, which ought hours ago to have been taken.

In the mean time, the main body armed and moved forward some way in front of the piquets. There they stood waiting for day-light, and listening with the greatest anxiety for the firing which ought now to be heard on the opposite bank. But this attention was exerted in vain, and day dawned upon them long before they desired its appearance. Nor was Sir Edward Pakenham disappointed in this part of his plan alone. Instead of perceiving every thing in readiness for the assault, he saw his troops in battle array, indeed, but not a ladder or fascine upon the field. The 44th, which was appointed to carry them, had either misunderstood or neglected their orders; and now headed the column of attack, without any means being provided for crossing the enemy's ditch, or scaling his rampart.

The indignation of poor Pakenham on this occasion may be imagined, but cannot be described. Galloping towards Colonel Mullens, who led the 44th, he commanded him instantly to return with his regiment for the ladders, but the opportunity of planting them was lost, and though they were brought up, it was only to be scattered over the field by the frightened bearers. For our troops were by this time visible to the enemy. A dreadful fire was accordingly opened upon them, and they were mowed down by hundreds, while they stood waiting for orders.

Seeing that all his well-laid plans were frustrated, Pakenham gave the word to advance, and the other regiments, leaving the 44th with the ladders and fascines behind them, rushed on to the assault. On the left, a detachment of the 95th, 21st, and 4th, stormed a three gun battery and took it. Here they remained for some time in the expectation of support; but none arriving, and a strong column of the enemy forming for its recovery, they determined to anticipate the attack, and pushed on. The battery which they had taken was in advance of the body of the works, being cut off from it by a ditch, across which only a single plank was thrown. Along this plank did these brave men attempt to pass; but being opposed by overpowering numbers, they were repulsed; and the Americans, in turn, forcing their way into the battery, at length succeeded in recapturing it with immense slaughter. On the right, again, the 21st and 4th being almost cut to pieces and thrown into some confusion by the enemy's fire, the 93d pushed on and took the lead. Hastening forward, our troops soon reached the ditch; but to scale the

parapet without ladders was impossible. Some few, indeed, by mounting one upon another's shoulders, succeeded in entering the works, but these were instantly overpowered, most of them killed, and the rest taken; while as many as stood without were exposed to a sweeping fire, which cut them down by whole companies. It was in vain that the most obstinate courage was displayed. They fell by the hands of men whom they absolutely did not see; for the Americans, without so much as lifting their faces above the rampart, swung their firelocks by one arm over the wall, and discharged them directly upon their heads. The whole of the guns, likewise, from the opposite bank, kept up a well directed and deadly cannonade upon their flank; and thus were they destroyed without an opportunity being given of displaying their valour, or obtaining so much as revenge.

Poor Pakenham saw how things were going, and did all that a General could do to rally his broken troops. Riding towards the 44th which had returned to the ground, but in great disorder, he called out for Colonel Mullens to advance; but that officer had disappeared, and was not to be found. He, therefore, prepared to lead them on himself, and had put himself at their head for that purpose, when he received a slight wound in the knee from a musket ball, which killed his horse. Mounting another, he again headed the 44th, when a second ball took effect more fatally, and he dropped lifeless into the arms of his aide-de-camp.

Nor were Generals Gibbs and Keane inactive. Riding through the ranks, they strove by all means to encourage the assailants and recall the fugitives; till at length both were wounded, and borne off the field. All was now confusion and dismay. Without leaders, ignorant of what was to be done, the troops first halted and then began to retire; till finally the retreat was changed into a flight, and they quitted the ground in the utmost disorder. But the retreat was covered in gallant style by the reserve. Making a forward motion, the 7th and 43d presented the appearance of a renewed attack; by which the enemy were so much awed, that they did not venture beyond their lines in pursuit of the fugitives.

While affairs were thus disastrously conducted in this quarter, the party under Colonel Thornton had gained the landing place. On stepping a-shore, the first thing they beheld was a rocket thrown up as a signal that the battle was begun. This unwelcome sight added wings to their speed. Forming in one little column, and pushing forward a single company as an advanced guard, they hastened on, and in half an hour

reached a canal, along the opposite brink of which a detachment of Americans was drawn up. To dislodge them was the work of a moment . . . This, however, was only an outpost. The main body was some way in rear, and amounted to no fewer than 1500 men.

It was not long, however, before they likewise presented themselves. Like their countrymen on the other side, they were strongly entrenched, a thick parapet with a ditch covering their front; while a battery upon their left swept the whole position, and two field pieces commanded the road. Of artillery, the assailants possessed not a single piece, nor any means, beyond what nature gave, of scaling the rampart. Yet nothing daunted by the obstacles before them, or by the immense odds to which they were opposed, dispositions for an immediate attack were made. . . .

. . . The sailors raising a shout, rushed forward, but were met by so heavy a discharge of grape and cannister, that for an instant they paused. Recovering themselves, however, they again pushed on; and the 85th dashing forward to their aid, they received a heavy fire of musketry, and endeavoured to charge. A smart firing was now for a few minutes kept up on both sides, but our people had no time to waste in distant fighting, and accordingly hurried on to storm the works; upon which, a panic seized the Americans, they lost their order, and fled, leaving us in possession of their tents, and of eighteen pieces of cannon. . . .

When in the act of storming these lines, the word was passed through our ranks, that all had gone well on the opposite bank. This naturally added to the vigour of the assault; but we had not followed our flying enemy above two miles, when we were commanded to halt. The real state of the case had now reached us, and the same messenger who brought the melancholy news, brought likewise an order to return. . . .

. . . General Lambert, on whom the chief command had devolved, very prudently determined not to risk the safety of his army by another attempt upon works evidently so much beyond their strength. He considered, and considered justly that his chances of success were in every respect lessened by the late repulse. . . . A retreat, therefore, while yet the measure appeared practicable, was resolved upon, and towards that end were all our future operations directed.

[George Robert Gleig,] *A Narrative of the Campaigns of the British Army at Washington and New Orleans* (London, 1821), 313–335 *passim.*

128. Discussion of Peace (1814–1815)

BY ENVOY JOHN QUINCY ADAMS

Adams was the connecting link between two generations of statesmen. He was educated in the old school, and served his apprenticeship through all the grades up to the presidency, being the last of the cabinet successors; but his best work was done in connection with the new conditions that sprang into existence after the War of 1812. He possessed the sound attributes of statesmanship, — training, steadfastness, keen insight, integrity, and large grasp of mind; but his manner was harsh, he was unmagnetic and cold. He was minister to Russia when the War of 1812 began, spent the whole period of the war in making advances toward peace, and was one of the negotiators of the final treaty at Ghent, here described. — For Adams, see Winsor, *Narrative and Critical History*, VII, 346–348; W. E. Foster, *Presidential Administrations*, 20–21. — Bibliography: Winsor, *Narrative and Critical History*, VII, 523–524; Channing and Hart, *Guide*, § 172.

[December 12, 1814.] LORD GAMBIER said that they did not consider the fisheries within their jurisdiction as rights, but merely as privileges granted.

Dr. Adams said that it would be very easy to draw a proviso by which it should be agreed to negotiate upon the two subjects, and yet without implying an abandonment on the part of the United States of their claim.

I said, if he thought it so easy, I would thank him to undertake it. I did not believe it possible. We had drawn up, and now proposed, a general article founded on a precedent in the Treaty of 1794, engaging to negotiate upon all the subjects of difference unadjusted, which would include those of the Mississippi navigation, and the fisheries within the British jurisdiction.

They read our article, and immediately rejected it, finding the word *commerce* in it.

Mr. Gallatin proposed to leave that word out.

Adams and Goulburn still rejected the article. Adams still said we might draw a proviso reserving our construction of the Treaty of 1783 and agreeing to negotiate on the two subjects; and added that he mentioned it because he believed that if the other question about the islands could be got rid of, the British Government would be disposed to some accommodation upon this.

Mr. Bayard drew a proviso for the purpose, and handed it over the table.

They read it, and Lord Gambier immediately said, "I, for one, can never agree to that."

Mr. Bayard asked what the *object* of the article, as proposed by the British Plenipotentiaries, was.

Adams and Goulburn said it was sent to them from England; they were not to account for the *motive* of their Government in proposing that or any other article.

Mr. Bayard said he did not ask them for the *motive* of their Government, but for the *object* of the article. He supposed gentlemen would at least be authorized to explain that.

Dr. Adams said they had sent us the article as they had received it, and we must construe it for ourselves; he had only said (and it was merely his individual opinion; he would not wish to be understood as pledging the opinion of his Government, or even of his colleagues), but he had said he thought we might easily agree to an article with a proviso reserving our claim to the right by the Treaty of 1783.

Mr. Gallatin asked, if we could find any expedient to come to an agreement upon the other article, whether the British Plenipotentiaries were authorized to accede to any modification of this, so that we might sign the treaty, without another reference to England.

Mr. Goulburn said they did not know. We had sent them three alternatives for their last paragraph of the eighth article. One of these alternatives had been adopted in England, and sent back to them, modified into this article. We had offered them the navigation of the Mississippi, clogged with conditions which would render it of no effect, confining their access to a single point, and upon a payment of full duties upon merchandise intended merely to pass through our territories for exportation.

Mr. Gallatin said that had not been our intention. The access would be given sufficient for all the purposes of transporting the merchandise, and by our laws a drawback from the duties was allowed upon the exportation of goods — the benefit of which would be allowed, of course, to the merchandise only passing through for exportation. "But surely," said he, "you could not expect to introduce into the United States your goods and merchandise duty free."

"And," said Mr. Clay, "as you had drawn the first paragraph, you might have gone from Quebec through any part of our territories."

Mr. Goulburn said, "No, that was not their intention."

Mr. Gallatin then took the Mississippi and fisheries article, proposed some alterations to it, and, Mr. Goulburn hesitating upon them, Gallatin said that we labored under great inconvenience and disadvantage in the

negotiation. We had no opportunity of communicating with our Government, and were continually obliged to take responsibility upon ourselves, while they referred to their Government for every detail. . . .

22d. . . . As soon as I came into my chamber, Mr. Gallatin brought me the [British] note. It agrees to be silent upon the navigation of the Mississippi and the fisheries, and to strike out the whole of the eighth article. . . .

Mr. Clay soon after came into my chamber, and, on reading the British note, manifested some chagrin. He still talked of breaking off the negotiation, but he did not exactly disclose the motive of his ill humor, which was, however, easily seen through. He would have much preferred the proposed eighth article, with the proposed British paragraph, formally admitting that the British right to navigate the Mississippi, and the American right to the fisheries within British jurisdiction, were both abrogated by the war. I think his conversation with Lord Gambier on the subject last week, at their dinner, the day before we sent our note, had the tendency to induce the British to adhere to their paragraph, and that Clay is disappointed at their having given it up; and he has so entire an ascendency over Mr. Russell, though a New England man and claiming to be a Massachusetts man, that Russell repeatedly told me last week, when I assured him that I would not sign the treaty with an article admitting that our right to any part of the fisheries was forfeited, that he should be sorry to sign a treaty without me, but that he did not think that part of the fisheries an object for which the war should be continued; that he was for insisting upon it as long as possible, but for giving it up at last, if the British would not sign without it. We agreed to meet at half-past seven o'clock this evening. . . .

24th. . . . A few mistakes in the copies were rectified, and then the six copies were signed and sealed by the three British and the five American Plenipotentiaries. Lord Gambier delivered to me the three British copies, and I delivered to him the three American copies, of the treaty, which he said he hoped would be permanent; and I told him I hoped it would be the last treaty of peace between Great Britain and the United States. We left them at half-past six o'clock. . . .

25th. Christmas-day. The day of all others in the year most congenial to proclaiming peace on earth and good will to men. . . .

. . . We received shortly after dinner a note from the Intendant, informing us that he had just received an official communication of the

conclusion of the peace, and inviting us to dine with him on Wednesday next, to celebrate the event. . . .

27th. . . . Mr. Gallatin had suggested . . . that we ought to make to the British Government an official communication of our full power to negotiate a treaty of commerce. The proposition was now renewed, and after some discussion it was agreed that Mr. Gallatin should make a draft of a note for that purpose. . . .

[28th.] Lord Gambier told me that . . . he heard we were to send them a note, proposing the negotiation of a treaty of commerce. Mr. Clay had met this morning Mr. Goulburn and Dr. Adams, and given them the information. Dr. Adams said that their powers were expired, and he doubted whether they could even receive the note. . . .

[January 5, 1815.] . . . Another important question arose, how we were to dress for the banquet of this day. To settle it, Mr. Smith, at my request, called upon Mr. Goulburn, and enquired how he proposed to go. He answered, in uniform, and we accordingly all went in uniform. The banquet was at the Hôtel de Ville, and was given by subscription by the principal gentlemen of the city. We sat down to table about five o'clock, in the largest hall of the building, fitted up for the occasion with white cotton hangings. The American and British flags were intertwined together under olive-trees, at the head of the hall. Mr. Goulburn and myself were seated between the Intendant and the Mayor, at the centre of the cross-piece of the table. There were about ninety persons seated at the table. As we went into the hall, Hail Columbia was performed by the band of music. It was followed by God save the King, and these two airs were alternately repeated during the dinner-time, until Mr. Goulburn thought they became tiresome. I was of the same opinion. The Intendant and the Mayor alternately toasted "His Britannic Majesty," and "the United States," "the Allied Powers," and "the Sovereign Prince," "the Negotiators," and "the Peace." I then remarked to Mr. Goulburn that he must give the next toast, which he did. It was, "the Intendant and the Mayor; the City of Ghent, its prosperity; and our gratitude for their hospitality and the many acts of kindness that we had received from them." I gave the next and last toast, which was, "Ghent, the city of peace; may the gates of the temple of Janus, here closed, not be opened again for a century!" . . .

John Quincy Adams, *Memoirs* (edited by Charles Francis Adams, Philadelphia, 1874), III, 109–139 *passim*.

129. Commercial Effects of the War (1826)

BY CALEB CUSHING

Cushing settled at Newburyport in 1822. He rose rapidly in his profession as a lawyer and was sent to Congress. He was first a Democrat, then a Whig, and after Tyler's administration a Northern Democrat. He was Pierce's attorney-general, held several diplomatic positions, and was one of the counsel for the United States at the Geneva arbitration. — Bibliography: Channing and Hart, *Guide*, § 174.

THE rise of Newburyport to wealth and consequence was extremely rapid. This elevation was not capable of being ascribed entirely, or for the greater part, to intrinsive, local, or peculiar sources of prosperity. . . .

From what, then, sprung the prosperous energies and the speedy increase of the town, in its best days? — They arose, it is believed, *mainly*, from the address, enterprise, and good fortune of its citizens, in seizing upon the propitious opportunities afforded by the situation of the United States. Newburyport rose with the commercial rise of the count[r]y, and with that alone kept even pace. True it is, that the town stood somewhat in advance, in the celerity of its progress, of the nation at large; and this advancement, it is repeated, we must attribute to the character of its inhabitants, — which their staple manufacture contributed to develope. Their success was in maritime commerce, and in the arts subsidiary to, and dependant upon, maritime commerce. — And their skill in ship-building, created by their local advantage for that manufacture, empowered them the more easily to gain the start of other places in marine trade. For this business had enabled them to accumulate some capital. It made it easy, also, with a very small expense of outfit, to obtain a bottom for the transportation of goods. And by placing the means of foreign commerce constantly before the eyes of the people, in the shape of their staple product, it naturally tempted them the more to adventure in maritime speculations.

Thus matters stood, so long as the wonderful commercial prosperity of this country lasted. During this period, when the neutral position of America was so extraordinary, so unparalleled in the history of commerce, our citizens pushed their advantage to the utmost. The profits of commerce were immense. We had the carrying trade of the whole universe, almost, in our hands. Our proximity to the European colonies in America co-operated, with other things, to fill the horn of our abundance to overflowing. The industrious mechanic of the Merrimac

found a demand for his manufacture: — the enterprising merchant could obtain his vessel on easy terms, and in a very short period she would earn her whole original cost. All the departments of industry connected with the ocean were thus stimulated to the highest degree, and universal prosperity and the easy acquisition of a competence, were the natural result.

France and England soon became jealous of this our rapid approach to the very empire of the seas and the monopoly of marine commerce. Previous to this, however, our trade to the French islands had begun to decline. The business was overdone by competition. — Their markets became drugged with our produce, as, indeed, they have continued to be ever since. They began to be more directly supplied with foreign manufactures, thereby diminishing the profits of our commerce with Europe. And no slight injury was sustained by our commerce, in consequence of the disorders in the West Indies occasioned by the French revolution.

But the deadly blow to our commercial prosperity was more directly struck by the insolence and cupidity of the great belligerents of Europe. Without entering into the broad question whether the system of restrictions on our commerce adopted by the government was or was not vindicated by the issue, thus much may be confidently affirmed: our government was forced into it by the injustice of foreign powers. It was a choice of evils. England, — France, — Holland, — Naples, — Denmark, — were committing the most flagitious depredations upon the property of our citizens. They were heap[i]ng insult upon insult, and injury upon injury. — They were sweeping our ships from the ocean with fearful rapacity, and profligate disregard of every law, divine or human. This it was, which drove our government into that series of restrictive measures, finally terminated in war. During that calamitous period, our seamen were thrown out of employment; our traders lost their customers; the farmers, who had looked to us for foreign commodities, and of whom we had purchased lumber, and provisions, left our market, — and our merchants were compelled to sit down idly and see their ships rotting in the docks. True it is that, had the uncalculating enterprise of our capitalists been left to itself, their ships and property would have been captured or confiscated abroad; and the millions of our foreign claims would have been swelled incalculably; but, in either alternative, the loss must have been, as it was, deplorable. . . .

. . . The genuine difficulty to be solved, the question really needing an answer, is, why Newburyport did not resume its prosperity, and continue to rise, when all the temporary causes of misfortune alluded to had ceased to operate. We shall not find the explanation of this point . . . in the embargo, nor in the war. It is to be sought further. New-York and Boston have grown as rapidly since the pressure of those restrictions on commerce was taken off, as they did before. But various circumstances contributed to retard the increase of Newburyport, as is usual in similar cases.

Some of these were local. Thus the bar is undoubtedly some impediment to our prosperity, — because it confines our navigation to vessels of the smaller class; and, contrary to what was customary twenty years ago, the present exigencies of foreign trade require the use of large vessels. . . .

Every small sea-port competes, to great disadvantage, with any large one near to it. The greatest market will inevitably tend to swallow up others in its vicinity. This law of trade has undoubtedly operated to the serious injury of Newburyport. Like other sea-ports of the second class in Massachusetts bay, it has withered under the influence of Boston. There are but few exceptions to this remark, and those exceptions confirm the rule. Thus New-Bedford and Nantucket are sustained by their possession of the whale-fishery, Salem, also, had its advantage in the East India trade, so long as that continued peculiarly lucrative. But the bad effects of the vicinity of Boston are constantly and seriously experienced here, in leading the importer to make sales of large cargoes, or heavy goods, almost universally in Boston; and the retailer to resort there for his supplies. . . .

All these different causes have their influence. But the most efficient and comprehensive reason of the decline of the town is, in truth, the immense alteration of the general condition of business during the last fifteen years. The whole of Europe, with the exception of its extreme eastern regions, is in a state of peace. We are no longer the carriers for its many nations. The sphere of our commercial enterprize is wonderfully narrowed. Our capital is now driven into new channels, and the entire circle of the relations of business and trade has undergone a radical revolution. Foreign commerce now requires a larger capital than formerly, and the profits on it are less. We are beginning to perceive and appreciate the importance of encouraging and protecting domestic industry, for the most substantial reasons; and if we did not,

the impossibility of employing all the resources of the country in commerce would force open our eyes to see the necessity of investing a portion of it in manufactures. Here, then, we lose our population, whilst other towns gain it. Boston, for instance, by reason of the immense accumulation of wealth in the hands of its inhabitants, becomes, by the laws of political economy, a permanent market as well for domestic manufactures and products, as for imported articles. Amesbury, Lowell, Dover, are the site of vast manufactories, and thither our mechanics and traders emigrate, following the concentration of capital, wherever it takes place. But we, on the other hand, have neither natural sites for manufactories, nor that immense accumulation of riches, which should secure to us, at present, the means of successful competition with any of those places, to which the recent revolutions in the conduct of business have imparted such great accession of wealth or population.

Caleb Cushing, *The History and Present State of the Town of Newburyport* (Newburyport, 1826), 109–114 *passim*.

PART VII

NATIONAL CONSCIOUSNESS

CHAPTER XX — NATIONAL SPIRIT

130. Objections to a Protective Tariff (1816)

BY REPRESENTATIVE JOHN RANDOLPH

John Randolph "of Roanoke," representative and senator from Virginia, was one of the most unique characters in the annals of Congress. Individual and erratic, he never hesitated to attack any measure he disliked, although it might be the measure of the party with which he was nominally connected, the Democratic. His eccentricities, scathing wit, burning but uneven eloquence, and proneness to take and to give offence made him famous. After the War of 1812 he was a firm advocate of states' rights, and denounced both the tariff and the Missouri Compromise. The economic changes brought about by peace with and in Europe forced the protective-tariff question to the surface, where it has remained. — For Randolph, see Winsor, *Narrative and Critical History*, VII, 317. — Bibliography: Providence Public Library, *Monthly Reference Lists*, II, 43–49; Channing and Hart, *Guide*, § 174. — For another discussion of the tariff, see No. 78 above.

MY honorable colleague (Mr. SHEFFEY) has said, that the case of the manufacturers is not fairly before the House. True! it is not fairly before the House. It never can be fairly before the House; whenever it comes before us, it must come unfairly, not as "a spirit of health — but a goblin damned" — not "bringing with it airs from Heaven, but blasts from Hell" — it ought to be exorcised out of the House: for, what do the principles about which such a contest is maintained amount to, but a system of bounties to manufacturers, in order to encourage them to do that which, if it be advantageous to do at all, they will do, of course, for their own sakes; a largess to men to exercise their own customary callings, for their own emolument; and Government devising plans, and bestowing premiums out of the pockets of the hard working cultivator of the soil, to mould the productive labor of the country into a thousand fantastic shapes; barring up, all the time, for that perverted purpose, the great, deep, rich stream of our

prosperous industry. Such a case, sir, I agree with the honorable gentleman, cannot be fairly brought before the House. It eventuates in this: whether you, as a planter will consent to be taxed, in order to hire another man to go to work in a shoemaker's shop, or to set up a spinning jenny. For my part I will not agree to it, even though they should, by way of return, agree to be taxed to help us to plant tobacco; much less will I agree to pay all, and receive nothing for it. No, I will buy where I can get manufactures cheapest; I will not agree to lay a duty on the cultivators of the soil to encourage exotic manufactures; because, after all, we should only get much worse things at a much higher price, and we, the cultivators of the country, would in the end pay for all. Why do not gentlemen ask us to grant a bounty for the encouragement of making flour? — the reason is too plain for me to repeat it; then why pay a man much more than the value for it, to work up our own cotton into clothing, when, by selling my raw material, I can get my clothing much better and cheaper from Dacca.

Sir, I am convinced that it would be impolitic, as well as unjust, to aggravate the burdens of the people, for the purpose of favoring the manufacturers; for this Government created and gave power to Congress, to regulate commerce and equalize duties on the whole of the United States, and not to lay a duty but with a steady eye to revenue. With my good will, sir, there should be none but an ad valorem duty on all articles, which would prevent the possibility of one interest in the country being sacrificed, by the management of taxation, to another. What is there in those objects of the honorable gentleman's solicitude, to give them a claim to be supported by the earnings of the others? The agriculturists bear the whole brunt of the war and taxation, and remain poor, while the others run in the ring of pleasure, and fatten upon them. The agriculturists not only pay all, but fight all, while the others run. The manufacturer is the citizen of no place, or any place; the agriculturist has his property, his lands, his all, his household gods to defend; and, like that meek drudge, the ox, who does the labor, and ploughs the ground, and then, for his reward, takes the refuse of the farm yard, the blighted blades and the mouldy straw, and the mildewed shocks of corn for his support; — while the commercial speculators live in opulence, whirling in coaches, and indulging in palaces; to use the words of Dr. Johnson, coaches, which fly like meteors, and palaces, which rise like exhalations. Even without your aid, the agriculturists are no match for them. Alert, vigilant, enterprising, and active, the

manufacturing interest are collected in masses, and ready to associate at a moment's warning, for any purpose of general interest to their body. Do but ring the fire bell, and you can assemble all the manufacturing interest of Philadelphia, in fifteen minutes. Nay, for matter of that, they are always assembled, they are always on the Rialto; and Shylock and Antonio meet there every day, as friends, and compare notes, and lay plans, and possess in trick and intelligence, what, in the goodness of God to them, the others can never possess. It is the choicest bounty to the ox, that he cannot play the fox or the tiger. So it is to one of the body of agriculturists, that he cannot skip into a coffee-house, and shave a note with one hand, while with the other he signs a petition to Congress, portraying the wrongs, and grievances, and sufferings he endures, and begging them to relieve him; yes, to relieve him out of the pockets of those whose labors have fed and enriched, and whose valor has defended them. The cultivators, the patient drudges of the other orders of society, are now waiting for your resolution. For, on you it depends, whether they shall be left further unhurt, or be, like those in Europe reduced, *gradatim*, and subjected to another squeeze from the hard grasp of power. Sir, I have done.

Annals of Congress, 14 Cong., 1 sess. (Gales and Seaton, Washington, 1854), 686–688.

131. An Argument for Internal Improvements (1817)

BY REPRESENTATIVE JOHN CALDWELL CALHOUN

Calhoun, the philosopher-statesman, as representative, senator, cabinet officer, and vice-president, was one of the great triumvirate who led the legislators of the second generation. His career divides itself into halves. During the first portion he advocated the bank, the protective tariff, and especially a national system of roads and canals; but he retired from the vice-president's chair in 1832 a fiery supporter of states' rights. He defended nullification, opposed the protective tariff, called for strict construction of the Constitution, and upheld the right of his constituents to take their slave property with them to the territories. — For Calhoun, see Winsor, *Narrative and Critical History*, VII, 324. — Bibliography: Lalor, *Cyclopædia*, II, 573–582; Channing and Hart, *Guide*, § 174. — For another discussion on internal improvements, see No. 21 above.

. . . AT peace with all the world, abounding in pecuniary means, and, what was of the most importance, and at what he rejoiced, as most favorable to the country, party and sectional feelings

immerged in a liberal and enlightened regard to the general concerns of the nation — such, said he, are the favorable circumstances under which we are now deliberating. Thus situated, to what can we direct our resources and attention more important than internal improvements? What can add more to the wealth, the strength, and the political prosperity of our country? . . . It gives to the interior the advantages possessed by the parts most eligibly situated for trade. It makes the country price, whether in the sale of the raw product or in the purchase of the articles for consumption, approximate to that of the commercial towns. In fact, if we look into the nature of wealth, we will find that nothing can be more favorable to its growth than good roads and canals. An article, to command a price, must not only be useful, but must be the subject of demand; and the better the means of commercial intercourse the larger is the sphere of demand. . . .

But, said Mr. C., there are higher and more powerful considerations why Congress ought to take charge of this subject. If we were only to consider the pecuniary advantages of a good system of roads and canals, it might indeed admit of some doubt whether they ought not to be left wholly to individual exertions; but when we come to consider how intimately the strength and political prosperity of the Republic are connected with this subject, we find the most urgent reasons why we should apply our resources to them. . . . We occupy a surface prodigiously great in proportion to our numbers. The common strength is brought to bear with great difficulty on the point that may be menaced by an enemy. It is our duty, then, as far as in the nature of things it can be effected, to counteract this weakness. Good roads and canals judiciously laid out, are the proper remedy. In the recent war, how much did we suffer for the want of them! Besides the tardiness and the consequential inefficacy of our military movements, to what an increased expense was the country put for the article of transportation alone! In the event of another war, the saving in this particular would go far towards indemnifying us for the expense of constructing the means of transportation.

It is not, however, in this respect only, that roads and canals add to the strength of the country. Our power of raising revenue, in war particularly, depends, said he, mainly on them. In peace our revenue depends principally on the imposts; in war this source, in a great measure, fails, and internal taxes, to a great amount, become necessary. Unless the means of commercial intercourse are rendered much more

perfect than they now are, we shall never be able in war to raise the necessary supplies. . . . The taxes are raised in every part of this extensive country, uniformly; but the expenditure must, in its nature, be principally confined to the scene of military operations. This drains the circulating medium from one part and accumulates it in another, and perhaps a very distant one. The result, said he, is obvious. Unless it can return through the operation of trade, the parts from which the constant drain takes place must ultimately be impoverished. Commercial intercourse is the true remedy to this weakness; and the means by which that is to be effected, are roads, canals, and the coasting trade. On these, combined with domestic manufactures, does the moneyed capacity of this country, in war, depend. Without them, not only will we be unable to raise the necessary supplies, but the currency of the country must necessarily fall into the greatest disorder — such as we lately experienced.

But on this subject of national power, what, said Mr. C., can be more important than a perfect unity in every part, in feelings and sentiments? And what can tend more powerfully to produce it, than overcoming the effects of distance? No country, enjoying freedom, ever occupied anything like as great an extent of country as this Republic. . . . and, what is most remarkable, such is the happy mould of our Government, so well are the State and general powers blended, that much of our political happiness draws its origin from the extent of our Republic. . . . Let it not, however, be forgotten, let it, said he, be forever kept in mind, that it exposes us to the greatest of all calamities, next to the loss of liberty, and even to that in its consequence — *disunion*. We are great, and rapidly — he was about to say fearfully — growing. This, said he, is our pride and danger — our weakness and our strength. Little, said Mr. C., does he deserve to be intrusted with the liberties of this people, who does not raise his mind to these truths. We are under the most imperious obligation to counteract every tendency to disunion. The strongest of all cements is, undoubtedly, the wisdom, justice, and, above all, the moderation of this House; yet the great subject on which we are now deliberating, in this respect, deserves the most serious consideration. Whatever, said Mr. C., impedes the intercourse of the extremes with this, the centre of the Republic, weakens the Union. The more enlarged the sphere of commercial circulation, the more extended that of social intercourse; the more strongly are we bound together; the more inseparable are our destinies. Those who under-

stand the human heart best, know how powerfully distance tends to break the sympathies of our nature. Nothing, not even dissimilarity of language, tends more to estrange man from man. Let us then, said Mr. C., bind the Republic together with a perfect system of roads and canals. Let us conquer space. It is thus the most distant parts of the Republic will be brought within a few days travel of the centre; it is thus that a citizen of the West will read the news of Boston still moist from the press. The mail and the press, said he, are the nerves of the body politic. By them the slightest impression made on the most remote parts is communicated to the whole system; and the more perfect the means of transportation, the more rapid and true the vibration. . . .

. . . He understood there were, with some members, Constitutional objections. . . . It was mainly urged that the Congress can only apply the public money in execution of the enumerated powers. He was no advocate for refined arguments on the Constitution. The instrument was not intended as a thesis for the logician to exercise his ingenuity on. It ought to be construed with plain, good sense; and what can be more express than the Constitution on this very point? The first power delegated to Congress is comprised in these words: "To lay and collect taxes, duties, imposts, and excises: to pay the debts, and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States." First — the power is given to lay taxes; next, the objects are enumerated to which the money accruing from the exercise of this power may be applied; to pay the debts, provide for the common defence, and promote the general welfare; and last, the rule for laying the taxes is prescribed — that all duties, imposts, and excises shall be uniform. If the framers had intended to limit the use of the money to the powers afterwards enumerated and defined, nothing could be more easy than to have expressed it plainly. He knew it was the opinion of some, that the words "to pay the debts, and provide for the common defence and general welfare," which he had just cited, were not intended to be referred to the power of laying taxes, contained in the first part of the section, but that they are to be understood as distinct and independent powers, granted in general terms; and are gratified by a more detailed enumeration of powers in the subsequent part of the Constitution. . . . He asked the members to read the section with attention, and it would, he conceived, plainly appear that such could not be the

intention. The whole section seemed to him to be about taxes. It plainly commenced and ended with it, and nothing could be more strained than to suppose the intermediate words "to pay the debts, and provide for the common defence and general welfare," were to be taken as independent and distinct powers. — Forced, however, as such a construction was, he might admit it, and urge that the words do constitute a part of the enumerated powers. The Constitution, said he, gives to Congress the power to establish post offices and post roads. He knew the interpretation which was usually given to these words confined our power to that of designating only the post roads; but it seemed to him that the word "establish," comprehended something more. But suppose the Constitution to be silent, said Mr. C., why should we be confined in the application of money to the enumerated powers? There is nothing in the reason of the thing, that he could perceive, why it should be so restricted; and the habitual and uniform practice of the Government coincided with his opinion. Our laws are full of instances of money appropriated without any reference to the enumerated powers. . . . If we are restricted in the use of our money to the enumerated powers, on what principle, said he, can the purchase of Louisiana be justified? To pass over many other instances, the identical power which is now the subject of discussion, has, in several instances, been exercised. To look no further back, at the last session a considerable sum was granted to complete the Cumberland road. In reply to this uniform course of legislation, Mr. C. expected it would be said, that our Constitution was founded on positive and written principles, and not on precedents. He did not deny the position; but he introduced these instances to prove the uniform sense of Congress, and the country, (for they had not been objected to,) as to our powers; and surely, said he, they furnish better evidence of the true interpretation of the Constitution than the most refined and subtle arguments.

Let it not be urged, that the construction for which he contended gave a dangerous extent to the powers of Congress. In this point of view, he conceived it to be more safe than the opposite. By giving a reasonable extent to the money power, it exempted us from the necessity of giving a strained and forced construction to the other enumerated powers. . . .

Annals of Congress, 14 Cong., 2 sess. (Gales and Seaton, Washington, 1854), 851–857 *passim*.

132. Perils of State Banking (1818)

BY A COMMITTEE OF THE NEW YORK LEGISLATURE

The expiration of the charter of the Bank of the United States, in 1811, was followed by a furor for state banks. The suspension of specie payments and other financial embarrassments attendant upon the War of 1812 gave to these state banks an unrestrained license, which, being abused and causing much distress, gave rise to a demand for governmental investigation and remedies. This report, laid before the assembly of New York, disclosed the great need of legislative action. — Bibliography: Channing and Hart, *Guide*, § 174.

. . . THE committee . . . as legislators and as guardians of the public welfare . . . give it as their undivided opinion, that . . . banking establishments, increased as they already have been, to a great extent in the interior of our state, counteract entirely all the beneficial effects expected from them; and instead of facilitating exchange and the transmission of money from one part of the state to the other, it has rendered it impossible to be done without great loss; in consequence of local banks having engrossed the whole circulation in their neighborhood, and the depreciation of their notes abroad, to the very great embarrassment of internal commerce. But this is not the extent of the evil, nor, in the opinion of the committee, by any means the greatest; but the effect it produces on society, immediately within their vicinity, is still more to be deplored.

They enable the designing, unprincipled speculator, who in fact has nothing to lose, to impose on the credulity of the honest, industrious, unsuspecting part of the community, by their specious flattery and misrepresentation, obtaining from them borrowed notes and endorsements, until the ruin is consummated, and their farms are sold by the sheriff. Examples of this sort are too common and too notorious to need any illustrations from the committee. . . .

By adopting a variety of schemes to get their notes into circulation, such as placing a partial fund in a distant bank to redeem their paper, and after the fact becomes generally known that their paper is at par in that quarter, issuing an emission of notes signed with ink of a different shade, at the same time giving secret orders to said bank not to pay the notes thus signed, and subjecting the owners of them to loss and disappointment, compelling them either to sell them for what they would fetch, or to return without accomplishing the business they went on. . . .

Others, by a different stratagem, but no less contrary to the intent

and meaning of their charter, have issued a species of paper called *facility notes*, purporting to be payable in neither money, country produce, or any thing else that has body or shape, and thereby rendering their name appropriate only but by facilitating the ruin of those who are so unfortunate as to hold them. There are other practices which the committee are informed are very common, and they believe will not be doubted, which no less vitiate the first principles of their charter. They give large accommodations to individuals conditionally; to some, that they will keep in circulation a certain sum (which notes are designated by a private mark) for a specified time; but in case they return sooner, he is again to be charged with the discount on such sum for the remainder of the time; to avoid which he is compelled to make long journies into distant counties, to change the notes for those of other banks, thus squandering his time and his money for their benefit. To others, on condition that they will pay their note when due, in what is called current money, (meaning notes of such of the banks as are current throughout the state, they not considering theirs as entitled to that appellation,) which compels the borrower, during the time his note is to run, to lay by him all the current money he can collect, which of necessity he must lose the use of, and for which he is obliged to pay for the sum he may be deficient of, as the time draws near a close, a premium of from seven to fourteen, and sometimes, as your committee have been informed, as high as twenty per cent. for one day, when his note is again renewed, and the same operation is commenced anew.

To others on condition they exchange with them, a sum equal to their note offered, of notes of other banks, (for which they are compelled to give a premium,) and receive their own in return. To others, on condition one half the sum remains in the bank until the note is due, thereby receiving an usurious interest. . . .

They hold the purse strings of society, and by monopolizing the whole of the circulating medium of the country, they form a precarious standard, by which all the property in the country, houses, lands, debts and credits, personal and real estate of all descriptions, are valued, thus rendering the whole community dependent on them, and proscribing every man who dares oppose or expose their unlawful practices: and if he happens to be out of their reach so as to require no favor from them, then his friends are made the victims, so that no one dares complain.

The merchant who has remittance to make abroad, is contented to pocket the loss, occasioned by the depreciation of their money, rather

than hazard their resentment by asking them for specie or current notes; and here the committee beg leave to state as a fact, an instance where the board of directors of a bank passed a resolution, declaring that no man should hold a seat at that board, or receive any discounts at the bank, who should trade at a certain store in the same village, in consequence of the owner having asked for a sum less than four thousand dollars in current money to remit to New-York, while at the same time he kept his account in said bank. . . .

. . . the committee cannot refrain from remarking, that hitherto liberal and extended encouragement given to banking operations beyond its legitimate object, has annually invited to our capitol, skilful and experienced banking agents, professing general and not local objects . . . who . . . in the present instance, from seeing notices in the state paper of eighteen new applications for banks intended to be made at the present session, have no doubt come up with high raised expectations of reaping a rich harvest, and by amalgamating banking bills with those of more importance and more salutary in their nature, and by assorting and canvassing the house with all the conflicting interests of individuals, until all distinction is lost between the fair and the honest petitioner, and the cunning designing speculator, and thus the man who asks in the simplicity of his heart for what he honestly conceives his right, is soon made to understand, that in order to obtain it he must become the instrument of designing men, and advocate that which his better judgment tells him is wrong. And your committee are constrained to say, that this practice has hitherto been carried to such an extent, and has met with such success, as to encourage corporations as well as individuals, to assume banking powers where none were ever granted: and after having put all law and authority to defiance, and creating themselves a fund, calculating on the encouragement and skill of these agents, have had the unexampled temerity to petition the legislature of this state and urge them, through the medium of these agents, to grant them a charter for banking, as a reward for the unwarrantable assumption of that right. . . .

The committee will conclude this general report on the state of the currency, by examining briefly, the foundation on which the present circulating medium is based. The committee believe, the present circulation in the state principally consists of the notes of those banks whose nominal capitals are small, and composed principally of the notes of the individual stockholders, called stock-notes. So that the security of the

public consists of the private fortunes of individual stockholders, and those fortunes, in a great measure, consist of the stock of the bank, for which they have given their notes; so that the bank is enriched by holding their notes, and they are enriched by holding the stock of the bank: And as these banks make large dividends, many rapid, and what are considered solid fortunes, are made. Like a boy mounting a summit as the sun is setting, suddenly observes his shadow on the opposite precipice, (regardless of the gulph between,) is astonished to see how tall he has grown; when night ensues, ere he is aware, he is plunged, shadow, substance and all, in the abyss below, covered with darkness and despair. Such the committee extremely apprehend will be the result of many of the present institutions, and bring ruin and distress on the country, unless they change their mode of business. . . .

On the whole, the committee coincide fully in the opinion expressed by his excellency on the subject of banks, in his speech, delivered at the opening of the session, where he says: —

"The evils arising from the disordered state of our currency, have been aggravated by the banking operations of individuals, and the una[u]thorised emissions of small notes by corporations. They require the immediate and correcting interposition of the legislature. I also submit it to your serious consideration, whether the incorporation of banks in places where they are not required by the exigencies of commerce, trade or manufactures, ought to be countenanced. Such institutions having but few deposits of money, must rely for their profits principally upon the circulation of their notes, and they are therefore tempted to extend it beyond their faculties. These bills are diffused either in shape of loans, or by appointing confidential agents to exchange them for those of other establishments. But the former mode being conducive to profit, is at first generally adopted; and in the early stages of their operations, discounts are liberally dispensed. This produces an apparent activity of business, and the indications of prosperity. But it is all fictitious and deceptive, resembling the hectic heat of consuming disease, not the genial warmth of substantial health; a reaction soon takes place. These bills are in turn collected by rival institutions, or passed to the banks of the great cities, and payment being required, the only resource left is to call in their debts, and exact partial or total returns of their loans. The continual struggle between conflicting establishments to collect each other's notes, occasions constant apprehension. The sphere of their operations is narrowed. Every new bank contracts

the area of their paper circulation; and after subjecting the communities within their respective spheres of operation to the pernicious vicissitudes of loans, at one period profusely granted, and at another parsimoniously withheld, they finally settle down into a state of torpid inaction, and become mere conduits of accommodation to a few individuals. The legislature are then solicited to apply a remedy by the incorporation of other banks, whereas, every new one of this description, unless attended by peculiar circumstances, paralizes a portion of capital and augments the general distress. The banishment of metallic money, the loss of commercial confidence, the exhibition of fictitious capital, the increase of civil prosecutions, multiplication of crimes, the injurious enhancement of prices, and the dangerous extension of credit, are among the mischiefs which flow from this state of things. And it is worthy of serious inquiry, whether a greater augmentation of such institutions may not in course of time produce an *explosion* that will *demolish the whole system*. The slow and periodical returns of husbandry being incompetent to the exigencies of banking establishments, the *agricultural* interest is the *principal* sufferer by these proceedings."

If the facts stated in the foregoing be true, and your committee have no doubt they are, together with others equally reprehensible and to be dreaded, such as, that their influence too frequently, nay often, already begins to assume a species of dictation altogether alarming, and unless some judicious remedy is provided by legislative wisdom, we shall soon witness attempts to control all selections to office in our counties, nay, the elections to this very legislature. Senators and members of assembly will be indebted to banks for their seats in this capitol, and thus the wise ends of our civil institutions will be prostrated in the dust by corporations of their own creation. It is therefore evident, the deleterious poison has already taken deep root and requires immediate legislative interference with their utmost energy.

H[ezekiah] Niles, editor, *Niles' Weekly Register*, March 14, 1818 (Baltimore), XIV, 39–41 *passim*.

133. Doctrine of Implied Powers (1819)

BY THE SUPREME COURT OF THE UNITED STATES

Chief-Justice Marshall delivered the decision from which this extract is taken. He belonged to the old Federalist school; and as head of the Supreme Court for over thirty years he not only gave to his theories of a broad and efficient interpretation of the powers of the national government the prestige of many decisions, but stamped those ideas indelibly upon the Constitution itself. — For Marshall, see Winsor, *Narrative and Critical History*, VII, 313. — Bibliography: Channing and Hart, Guide, § 159.

THE first question made in the cause is, has congress power to incorporate a bank? . . .

This government is acknowledged by all to be one of enumerated powers. . . .

Among the enumerated powers, we do not find that of establishing a bank or creating a corporation. But there is no phrase in the instrument which, like the articles of confederation, excludes incidental or implied powers; and which requires that every thing granted shall be expressly and minutely described. . . . A constitution, to contain an accurate detail of all the subdivisions of which its great powers will admit, and of all the means by which they may be carried into execution, would partake of the prolixity of a legal code, and could scarcely be embraced by the human mind. It would probably never be understood by the public. Its nature, therefore, requires, that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects be deduced from the nature of the objects themselves. That this idea was entertained by the framers of the American constitution, is not only to be inferred from the nature of the instrument, but from the language. Why else were some of the limitations, found in the 9th section of the 1st article, introduced? It is also, in some degree, warranted by their having omitted to use any restrictive term which might prevent its receiving a fair and just interpretation. In considering this question, then, we must never forget, that it is a constitution we are expounding.

Although, among the enumerated powers of government, we do not find the word "bank," or "incorporation," we find the great powers to lay and collect taxes; to borrow money; to regulate commerce; to declare and conduct a war; and to raise and support armies and navies. The sword and the purse, all the external relations, and no inconsiderable portion of the industry of the nation, are intrusted to its government.

It can never be pretended that these vast powers draw after them others of inferior importance, merely because they are inferior. Such an idea can never be advanced. But it may, with great reason, be contended, that a government, intrusted with such ample powers, on the due execution of which the happiness and prosperity of the nation so vitally depends, must also be intrusted with ample means for their execution. The power being given, it is the interest of the nation to facilitate its execution. It can never be their interest, and cannot be presumed to have been their intention, to clog and embarrass its execution by withholding the most appropriate means. Throughout this vast republic, from the St. Croix to the Gulf of Mexico, from the Atlantic to the Pacific, revenue is to be collected and expended, armies are to be marched and supported. The exigencies of the nation may require, that the treasure raised in the North should be transported to the South, that raised in the East conveyed to the West, or that this order should be reversed. Is that construction of the constitution to be preferred which would render these operations difficult, hazardous, and expensive? Can we adopt that construction, (unless the words imperiously require it,) which would impute to the framers of that instrument, when granting these powers for the public good, the intention of impeding their exercise by withholding a choice of means? . . .

It is not denied, that the powers given to the government imply the ordinary means of execution. That, for example, of raising revenue, and applying it to national purposes, is admitted to imply the power of conveying money from place to place, as the exigencies of the nation may require, and of employing the usual means of conveyance. But it is denied that the government has its choice of means; or, that it may employ the most convenient means, if, to employ them, it be necessary to erect a corporation. . . .

. . . The power of creating a corporation is never used for its own sake, but for the purpose of effecting something else. No sufficient reason is, therefore, perceived, why it may not pass as incidental to those powers which are expressly given, if it be a direct mode of executing them.

But the constitution of the United States has not left the right of congress to employ the necessary means, for the execution of the powers conferred on the government, to general reasoning. To its enumeration of powers is added that of making "all laws which shall be necessary and proper, for carrying into execution the foregoing powers, and

all other powers vested by this constitution, in the government of the United States, or in any department thereof."

The counsel for the State of Maryland have urged various arguments, to prove that this clause, though in terms a grant of power, is not so in effect; but is really restrictive of the general right, which might otherwise be implied, of selecting means for executing the enumerated powers. . . .

But the argument on which most reliance is placed, is drawn from the peculiar language of this clause. Congress is not empowered by it to make all laws, which may have relation to the powers conferred on the government, but such only as may be "necessary and proper" for carrying them into execution. The word "necessary" is considered as controlling the whole sentence, and as limiting the right to pass laws for the execution of the granted powers, to such as are indispensable, and without which the power would be nugatory. That it excludes the choice of means, and leaves to congress, in each case, that only which is most direct and simple.

Is it true, that this is the sense in which the word "necessary" is always used? Does it always import an absolute physical necessity, so strong, that one thing, to which another may be termed necessary, cannot exist without that other? We think it does not. . . . It is essential to just construction, that many words which import something excessive, should be understood in a more mitigated sense — in that sense which common usage justifies. The word "necessary" is of this description. . . . in its construction, the subject, the context, the intention of the person using them, are all to be taken into view.

Let this be done in the case under consideration. The subject is the execution of those great powers on which the welfare of a nation essentially depends. It must have been the intention of those who gave these powers, to insure, as far as human prudence could insure, their beneficial execution. This could not be done by confining the choice of means to such narrow limits as not to leave it in the power of congress to adopt any which might be appropriate, and which were conducive to the end. This provision is made in a constitution intended to endure for ages to come, and, consequently, to be adapted to the various crises of human affairs. To have prescribed the means by which government should, in all future time, execute its powers, would have been to change, entirely, the character of the instrument, and give it the properties of a legal code. It would have been an unwise

attempt to provide, by immutable rules, for exigencies which, if foreseen at all, must have been seen dimly, and which can be best provided for as they occur. To have declared that the best means shall not be used, but those alone without which the power given would be nugatory, would have been to deprive the legislature of the capacity to avail itself of experience, to exercise its reason, and to accommodate its legislation to circumstances. If we apply this principle of construction to any of the powers of the government, we shall find it so pernicious in its operation that we shall be compelled to discard it. . . .

Take, for example, the power "to establish post-offices and post-roads." This power is executed by the single act of making the establishment. But, from this has been inferred the power and duty of carrying the mail along the post-road, from one post-office to another. And, from this implied power, has again been inferred the right to punish those who steal letters from the post-office, or rob the mail. It may be said, with some plausibility, that the right to carry the mail, and to punish those who rob it, is not indispensably necessary to the establishment of a post-office and post-road. This right is, indeed, essential to the beneficial exercise of the power, but not indispensably necessary to its existence. . . .

If this limited construction of the word "necessary" must be abandoned in order to punish, whence is derived the rule which would reinstate it, when the government would carry its powers into execution by means not vindictive in their nature? If the word "necessary" means "needful," "requisite," "essential," "conducive to," in order to let in the power of punishment for the infraction of law, why is it not equally comprehensive when required to authorize the use of means which facilitate the execution of the powers of government without the infliction of punishment? . . .

But the argument which most conclusively demonstrates the error of the construction contended for by the counsel for the State of Maryland, is founded on the intention of the convention, as manifested in the whole clause. To waste time and argument in proving that, without it, congress might carry its powers into execution, would be not much less idle than to hold a lighted taper to the sun. . . .

The result of the most careful and attentive consideration bestowed upon this clause is, that if it does not enlarge, it cannot be construed to restrain the powers of congress, or to impair the right of the legislature to exercise its best judgment in the selection of measures, to

carry into execution the constitutional powers of the government. If no other motive for its insertion can be suggested, a sufficient one is found in the desire to remove all doubts respecting the right to legislate on that vast mass of incidental powers which must be involved in the constitution, if that instrument be not a splendid bauble.

We admit, as all must admit, that the powers of the government are limited, and that its limits are not to be transcended. But we think the sound construction of the constitution must allow to the national legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional.

M'Culloch *v.* State of Maryland, 4 *Wheaton*, 401–421; in B. R. Curtis, *Reports of Decisions in the Supreme Court of the United States* (Boston, 1881), IV, 418–430 *passim*.

134. Foreign Commerce (1819)

BY LATE CONSUL DAVID BAILIE WARDEN

Warden went to France in 1804 as secretary of the United States minister. He acted as consul at Paris during the first months of Madison's administration, and upon being appointed to the position continued to hold it for many years. He was an author, a man of varied learning, and a member of the French Academy. — Bibliography: Channing and Hart, *Guide*, § 174. — For other articles on the commerce, see Nos. 20, 22, 129 above.

IN commerce and navigation, the progress of the United States has been rapid beyond example. Besides the natural advantages of excellent harbours, extensive inland bays and navigable rivers, it has been greatly in favour of their commerce, that it has not been fettered by monopolies or exclusive privileges. Goods or merchandise circulate through all the states free of duty, and a full drawback, or restitution of duties of importation, is granted upon articles exported to a foreign port, in the course of the year in which they have been imported. Commerce is considered by all those engaged in it as a most honourable employment. In the sea-port towns, the richest members of society are merchants. Youths of sixteen are sent abroad as factors, or

supercargoes, to every commercial country, intrusted with the management of great concerns. Stimulated by the prospect of independence, they study the manufactures and markets of foreign states; the quality, value, and profits of every commercial article, while the youth of other countries, of the same age and rank, have not formed a thought of a provision for future life. Maritime and commercial business is executed with more celerity and less expence than in any other country. Vessels in the ports of the United States are laden and unladen in the course of a few days, whilst in those of other countries, as many months are required for the same purposes, owing to tedious regulations and less enterprise. Merchant vessels are built and prepared for sea in the course of four or five months, and they sail faster than those of any other country. The schooners constructed at Baltimore, and known by the name of "pilot-boat schooners," have often sailed with a cargo from an American to an English or French port in seventeen or eighteen days. The American seamen are extremely active and enterprising. Sloops of sixty tons, and eleven men, have sailed from Albany, (160 miles up the Hudson's river,) to the coast of China. The first of this description which arrived there was believed by the natives of the country to be the long-boat of a large merchant vessel, which they vainly looked for during several days. Nantucket sloops of eighty tons, with ten men, double Cape Horn, and pursue the whale fishery in the South Seas. With similar vessels, numerous voyages have been made from the port of New York to the cold regions of Southern Georgia, for the skins and oil of seals and sea-elephants. The American whalemen, after visiting the south-western coast of New Holland, and California, the Malouin, or Falkland, and other isles, touch for refreshments at the Cape of Good Hope, at the Sandwich Islands, or ports of Chili. A commerce with the Fegee Islands has been carried on by small vessels in trifling articles of hard-ware, which they exchanged for sandal-wood; and with this article they proceeded to Canton, where it was sold for the purpose of incense in religious ceremonies, at the rate of 400 dollars per ton. The American pilot-boats have lately visited the ports of Santa Fe, Caraccas, and Buenos Ayres, for the commerce in dollars and raw materials. Without any previous knowledge of routes, winds, tides, or harbours, the American whalemen and pilot-boat seamen have visited every coast, and, to the astonishment of Europe, have made shorter voyages than old and experienced navigators. Falkland's Island, which seemed too remote and romantic an object for the grasp of national ambition, is

but a stage and resting place in the progress of their victorious industry. "No sea but what is vexed with their fisheries, no climate that is not witness to their toils."] Since the commencement of the war in 1812, the American public and private armed vessels have visited every sea, from Kamschatka to the Irish Channel, and have captured British merchant ships at the very mouths of British harbours. The great injury done to the commerce of England during that war, notwithstanding her powerful navy, bears strong testimony to the activity and enterprise of American seamen. More than 1700 of her vessels were captured during the course of the war; and it has been stated, that only one out of three American vessels employed in commerce were taken by the English during the same period. The state of European warfare, from the year 1802 to 1812, gave to America almost all the carrying trade, or freight of the commercial world, valued at ten *per cent.* upon the capital. The United States also gained five *per cent.* by exchange, so that the annual profits of commerce and foreign navigation have been estimated at fifteen *per cent.* upon the capital.

D. B. Warden, *A Statistical, Political, and Historical Account of the United States of North America* (Edinburgh, etc., 1819), III, 280–286.

135. A Southern View of the Missouri Question (1820)

BY THOMAS JEFFERSON

Jefferson in retirement and extreme age was still a political mentor. He was no more an advocate of slavery than when he wrote the *Notes on Virginia* (see No. 10 above), but he could be reconciled to its continuance by weaker arguments. The Missouri Compromise was the first of the great measures that followed the spirit of mutual accommodation found in the Constitution itself. — For Jefferson, see No. 10 above. — Bibliography: Channing and Hart, *Guide*, § 177.

A. TO WILLIAM SHORT

[April 13, 1820.] ALTHOUGH I had laid down as a law to myself, never to write, talk, or even think of politics, to know nothing of public affairs, and therefore had ceased to read newspapers, yet the Missouri question aroused and filled me with alarm. The old schism of federal and republican threatened nothing, because it existed in every State, and united them together by

the fraternism of party. But the coincidence of a marked principle, moral and political, with a geographical line, once conceived, I feared would never more be obliterated from the mind; that it would be recurring on every occasion and renewing irritations, until it would kindle such mutual and mortal hatred, as to render separation preferable to eternal discord. I have been among the most sanguine in believing that our Union would be of long duration. I now doubt it much, and see the event at no great distance, and the direct consequence of this question; not by the line which has been so confidently counted on; the laws of nature control this; but by the Potomac, Ohio and Missouri, or more probably, the Mississippi upwards to our northern boundary. . . .

B. TO JOHN HOLMES

[April 22.] . . . I CAN say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any *practicable* way. The cession of that kind of property, for so it is misnamed, is a bagatelle which would not cost me a second thought, if, in that way, a general emancipation and *expatriation* could be effected; and, gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the passage of slaves from one State to another, would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by dividing the burthen on a greater number of coadjutors. An abstinence too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them and given to the General Government. Could Congress, for example, say, that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh

the blessings they will throw away, against an abstract principle more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. . . .

C. TO CHARLES PINCKNEY

[September 30.] . . . THE Missouri question is a mere party trick. The leaders of federalism, defeated in their schemes of obtaining power by rallying partisans to the principle of monarchism, a principle of personal not of local division, have changed their tack, and thrown out another barrel to the whale. They are taking advantage of the virtuous feelings of the people to effect a division of parties by a geographical line; they expect that this will ensure them, on local principles, the majority they could never obtain on principles of federalism; but they are still putting their shoulder to the wrong wheel; they are wasting Jeremiads on the miseries of slavery, as if we were advocates for it. Sincerity in their declamations should direct their efforts to the true point of difficulty, and unite their counsels with ours in devising some reasonable and practicable plan of getting rid of it. Some of these leaders, if they could attain the power, their ambition would rather use it to keep the Union together, but others have ever had in view its separation. If they push it to that, they will find the line of separation very different from their 36° of latitude, and as manufacturing and navigating States, they will have quarrelled with their bread and butter, and I fear not that after a little trial they will think better of it, and return to the embraces of their natural and best friends. But this scheme of party I leave to those who are to live under its consequences. We who have gone before have performed an honest duty, by putting in the power of our successors a state of happiness which no nation ever before had within their choice. If that choice is to throw it away, the dead will have neither the power nor the right to control them. I must hope, nevertheless, that the mass of our honest and well-meaning brethren of the other States, will discover the use which designing leaders are making of their best feelings, and will see the precipice to which they are lead, before they take the fatal leap. . . .

Thomas Jefferson, *Writings* (edited by H. A. Washington, Washington, 1854), VII, 158–181 *passim*.

136. A Moderate View of the Missouri Question (1820)

BY HEZEKIAH NILES

Niles, as the founder and first editor of *Niles' Weekly Register*, handed down to students in American history an invaluable record of contemporary events. The journal, a weekly devoted to "the past — the present — for the future," covered the affairs of the whole nation at a time when local newspapers could not do so. The first number was issued in 1815; in 1849, since increased facilities for communication had destroyed the value of the paper, it was discontinued. The first thirty-two volumes have been republished. — Bibliography as in No. 135 above.

. . . So much has been said, written and published on the "Missouri question" that the people, in general, are displeased with the mere sight of the words in print, and few are willing to read much more on the subject. Articles, too, have appeared on both sides of the question, which ought not to have appeared; — hard words will never obtain a victory in matter like this; railing begets railing, and opposition produces opposition. It is human nature even to resist a just claim, if indecently or improperly urged.

Under these circumstances we should have passed over the *new* crisis which the matter has arrived at, but for the consideration that our motives may be misconstrued, as they were on another highly interesting occasion. While we hold ourselves irresponsible to any men or set of men for our own opinions, "a decent respect" for those of others will always induce us to a liberal exposition of them, if the case requires it. Truth is often times elicited from the conflict of opinion; and the hypothesis of Mr. *Jefferson*, that its "errors may be tolerated when reason is left free to combat it," is as a first principle in the mind of every *genuine* republican, whether his complexion is bleached by the northern blast, or darkened by a southern sun.

When the main matter in dispute was under consideration, it was our misfortune not to please either of the great parties to it; yet both of them united and agreed to the principle which we advocated, as being both right and expedient. It is *established* (so far as large majorities in both houses of congress can establish it), that the *power* to check the progress of a slave population within the *territories* of the United States, exists by the constitution; but admitted, that it was not expedient to exert that power in regard to Missouri and Arkansaw. The latter depended on many considerations of no ordinary importance: the

safety and feelings of the white population in several of the states appeared to be involved in it, and the rights and feelings of others were as deeply concerned in the subject at large. In this conflict of interests, among persons who possibly desired the same ultimate issue, though their views of it were diametrically opposed, a spirit of conciliation prevailed and a compromise was effected. The people of those sections of country in which there are few or no slaves or persons of color, very imperfectly appreciate the wants, necessities or general principle of others differently situated. Collectively, the latter deprecate slavery as severely as the former, and dread its increase — but individual cupidity and rashness acts against the common sentiment, in the hope that an event which every body believes must happen, may not happen in their day. It is thus that too many of us act about death; we are sure it must come, yet we commit wrong to acquire property, just as if we should hold and enjoy it forever! That the slave population will, at some certain period, cause the most horrible catastrophe, cannot be doubted — those who possess them act defensively in behalf of all that is nearest and dearest to them, when they endeavor to acquire all the strength and influence to meet that period which they can; and hence the political and civil opposition of these to the restriction which was proposed to be laid on Missouri, &c. They *have* the offensive population, and no feasible plan has yet been contrived to rid them of it, if they were disposed so to do. Will the people of any of the states, so much alive to humanity, pass acts to encourage emancipation by agreeing to receive the emancipated — what will they do, what *can* they do, to assist the people of others to relieve themselves of their unfortunate condition? It is easy to use severe terms against the practice of slavery — but let us first tell the southern people what they can safely do to abolish it, before we, by wholesale, condemn them. No one can hate slavery more than I do — it is a thing opposed to every principle that operates on my mind, as an individual — and, in my own private circle, I do much to discourage it. I am, also, exceedingly jealous of it, so far as it affects my political rights as a citizen of the United States, entitled to be fairly and fully represented, and no more. But I can make great allowances for those who hold slaves in districts where they abound — where, in many cases, their emancipation might be an act of cruelty to them and of most serious injury to the white population. Their difference of color is an insuperable barrier to their incorporation within the society; and the mixture of free blacks with slaves is detri-

mental to the happiness of both, the cause of uncounted crimes. Yet I think that some have urged their defensive character too far — without a proper respect for the rights and feelings of others, whose business it is also [to] judge on the matter, as applicable to an extension of the evil. But we advocated the compromise, as fixing certain points for the future government of all the parties concerned; believing that the moral and political evil of spreading slavery over Missouri and even in Arkansaw, was not greater than that which might have arisen from restriction, though to restrict was right in itself. The harmony of the union, and the peace and prosperity of the white population, most excited our sympathies. We did not fear the dreadful things which some silly folks talked of, but apprehended *geographical* oppositions which might lead to the worst of calamities. We had no pleasant feeling on the compromise, for bad was the best that could be done. Nevertheless, we hoped that the contest was at an end, and that things would settle down and adopt [adapt] themselves to the agreement which necessity imposed.

Thus situated, it was with no little concern that we saw in the constitution which Missouri was about to offer for the sanction of congress, *new* causes of collision. The objectionable provisions cannot be of any use to the new state, as to the things which they aim at. We are willing to believe that they were unthinkingly introduced; but they have the appearance of braving opposition, and of manifesting a spirit which the meekest man feels disposed to resist — to say nothing of one of them as being contrary to the constitution of the United States — that to prevent the emigration and settlement of free blacks and mulattoes. It appears that some of the former and a number of the latter are entitled to bounty lands, for services rendered in the late war: if their lots should be in Missouri, it is idle to pretend they may not settle upon and enjoy them, if they please. But we are not disposed to examine the subject in detail — the *principle* adopted by the convention of Missouri, to give our opinion of it in a few words, is destructive of the *federative* character of our great compact, and may just as well apply to the exclusion of persons with black hair or blue eyes; and no one can seriously apprehend injury from the emigration of free people of color to a slaveholding state. It would be about as reasonable as to expect that the Mississippi will discharge her waters into the lakes, instead of naturally to disembogue them into the Gulf of Mexico. The result, in the house of representatives, was anticipated; but we did think that both houses, with large majorities, would have so decided, as to striking out the offen-

sive provisions, for the sake of harmony, in the spirit of the compromise: all would then have been well, and a great deal of time, trouble and anxiety saved. We totally reject the idea that any thing which it is the business of congress to do, should be left to the judiciary or any other power. With due deference to the eminent gentleman who proposed it, we regret that he did it; for had his plan been adopted, who can tell where the precedent would have stopped? But we think it more strange that, because Missouri was empowered to *make* a constitution, it should be argued that congress was bound to *accept* it. Why, then, are constitutions offered, referred to committees, and sanctioned by both houses? All this is mere mummery, if they are to be accepted at any rate — as contended for by some of the members. No one wishes harm to the people of Missouri — they are of our own kindred and lineage; they may have urged their claims imprudently, and, in our belief, have mistaken their true interests — but they have a right to judge for themselves; and if that judgment is repugnant to the general opinion or principle on the matter, they will yield it, we trust, to the law, and respect the majority.

We had written thus far when we first saw the resolution offered by Mr. Eustis, in the house of representatives, on Tuesday last . . . It precisely meets our wishes, so far as it goes, and may accomplish all that either party is *really* just now disposed to contend for. The anti-restriction members, as well as others, regretted the existence of certain clauses in the constitution of Missouri, as unnecessary, and calculated only to create doubts and excite opposition. Let them be expunged by the *unanimous* voice of congress, and then we shall hope for an obliteration of the feelings which this unfortunate controversy has given birth to, and that all will be willing to disavow sectional interests within the body of the republic; the peace and p[r]osperity of which can only be maintained by a spirit of forbearance and moderation: — and, if we must differ in opinion, let us differ like rational beings, and grant to others the rights which we assume for ourselves, always recollecting that the fairly expressed will of the majority must govern.

H[ezekiah] Niles, editor, *Niles' Weekly Register*, December 23, 1820 (Baltimore), XIX, 265–266.

CHAPTER XXI — THE GREAT WEST

137. Voyage down the Ohio (1808)

BY HENRY M. BRACKENRIDGE (1834)

Brackenridge was the son of Hugh H. Brackenridge (see No. 70 above). He studied law and became a prominent jurist, first as a district judge in Louisiana, and afterwards as a United States judge in Florida. His later life was devoted to literature. — Bibliography: James H. Perkins, *Annals of the West*, xviii–xx.

WITH the reader's permission, I will now change the scene to the banks of the Monongahela at Pittsburgh — time, a fine morning in April. The shore is lined with the various kinds of keels, flat bottoms, or arks, of all the sizes and forms used in the growing trade of the west, and a bustling set of people playing different parts; but no Leviathan steamboats are seen proudly asserting their conquest over the western waters. The object to which our attention will be more immediately attracted, is a keel about ten or fifteen tons burthen, with a sort of deck at each end, affording a cabin sufficiently roomy for two men to lie under by coiling themselves up. Both bow and stern were pointed alike, and distinguished only by the bow rope on the one, and the long tail of a steering oar on the other. The open space amid ships, was occupied by barrels, bales and castings, part on freight, and part owned by the captain, as he of the steering oar is usually denominated. The captain, a swarthy, ill looking man of forty, inclining to fat, dressed in a leathern doublet, blue broadcloth pantaloons, and Suwarrow boots, gave the word to push off, which was promptly obeyed by Ralph Higginbotham, son of the 'Squire' up the Monongahela, (so justices of the peace are styled in Pennsylvania) and Bill Hulings, neither the first nor the 'last of the boatmen.' It might be easily seen, that this was the first voyage of Ralph, a well-set, broad-shouldered little fellow, with watch in fob, and dressed in home-made cloth, cut out and made up by his good mother, in burlesque of the mode which had prevailed in town a few years before. As this was a voyage of *experience*. to whet his faculties, so that he might take the management of a boat himself in due time,

he was to work his passage; which was not the case with Bill, in his tow shirt and trowsers, and handkerchief on his head, who had performed many such voyages, and who, in consequence, now appointed himself captain of the forecastle, seized a pole, bade Ralph do the same, and in a moment the boat was adrift in the current. . . .

The river was in fine order for navigation; the sky unclouded blue; winter had passed off, and 'recalled his ruffian blasts,' yet the forests still appeared naked and leafless. As we glided swiftly along, my companion, to whom every thing was new and striking, amused me by his remarks, while I endeavoured to catch some recollection of my first voyage; but excepting Legionville, the camp of General Wayne in 1792, I saw nothing I could remember. In place of the interminable wilderness, cultivated spots, cottages and farms, pleasantly situated, frequently attracted our attention. Not thinking it prudent, in this part of the river to float during the night, it was resolved to encamp; which was accordingly done, and fire kindled in order to prepare our evening meal. . . .

Before the dawn of day the boat was again adrift, and before evening we reached the town of Wheeling. The intermediate space between this place and Pittsburgh will long continue to be the wildest and rudest part of the Ohio. The hills are high and steep, the river bottom comparatively narrow, and the river itself rapid and tortuous. . . .

From Wheeling, the river and its borders undergo an almost instantaneous change. The hills rapidly subside, the flat lands become wider, the current of the river more gentle and regular, and cultivation smiles on its banks. Peace, civilization, and the cheerful sound of the human voice, have taken the place of the frightful savage wilderness, of the nightly howling of the wolf, and the mid-day terrors of the Indian scalping knife. . . .

The borders of the river had already put on the livery of Robin Hood before we arrived at Marietta, a pretty town, situated on a point at the mouth of the Muskingum; and at this time one of the most important on the Ohio. It was a handsome town when I first saw it, but it had much improved both in the style and number of its buildings. Some ten or twelve miles below this, we came in sight of the island of Blennerhasset. There was a blue mist upon the waters and on the land, softening the scene into the most mellow landscape, but either bank of the river was destitute of any striking natural objects, there being neither rocks nor hills: the giant sycamore and sugar trees may be considered

exceptions to my remark. The island and its embellishments were seen to the greatest advantage. The clean, naked, pebbly beach divided the stream in nearly equal parts; and beyond it the elegant mansion, painted white, was half hidden among the trees, partly native, which had submitted to the hand of art, and partly exotic, such as the Lombardy poplar and weeping willow. The large gateway and the tasteful shrubbery heightened the scene, looking like what the islands of the Ohio may be a century hence. It looked more like a vision of the future, than a real landscape in the yet infant west. Such improvements are too far in advance of the state of society; they are costly to the owner, because they add nothing to the intrinsic value, and wealth is yet too scarce to pay so high for the gratifications of taste and the love of elegance. The fifty thousand dollars expended on this property, would not have produced more than two or three thousand on the sale of it, unless by mere accident some other person of wealth happened to come, who was possessed of the same fancy, and was equally regardless of calculation. It was said by a witness, on the trial of Burr, who was questioned as to the character of Blennerhasset, 'that he had every kind of sense but common sense.' The remark is true so far, that he had not directed his attention sufficiently to the business of common life; and having formed his habits in a country which had already attained the highest degree of advancement in social polish and refinement, with aristocratic feelings at war with his democratic opinions, he did not correctly estimate the difference of places and persons. The unfortunate family had left the place where they had passed several years in pursuit of happiness by embellishing nature, having been disappointed in finding it in the taste and polish and refinement of society, at least in accordance with their notions and preconceived opinions. . . . The situation of the accomplished pair was not that of Adam and Eve in Paradise, nor was Burr a Satan as to them. He found them discontented; unpleasant feelings had been experienced by them, and disappointment had ensued. The error was in their own minds; in their preconceived notions of the people and country of America, and in their uncongenial habits and ideas. . . .

The next morning we passed Letart's Falls, having passed several villages during the night, and also some considerable streams, and among others, that one which bears

'The name so shocking
Of Hock-Hock-Hocking.'

As this was the Sabbath, the banks, chiefly on the Ohio side, were alive with people going to or returning from places of worship, or seated in groups in their best apparel. On the Virginia side, instead of seeing dwellings, we saw occasionally houses of more ambitious structure, but unfinished, and already showing marks of decay; while much of the river bottoms was still unimproved. What a contrast with the uninhabited banks of the beautiful river, when I first saw them! When the howl of the wolf, or the hooting of the owl were enough to strike terror into the heart of the voyager, fearing that these might be the telegraphic sounds of Indians preparing to attack him. . . .

. . . It will be expected . . . that I should take some notice of Cincinnati, which, thirteen years before, was covered with the native forest, excepting the space occupied by a rude encampment. I now found it a beautiful little city, in the midst of a highly cultivated country. I went up to the market, which I found equal in goodness to that of Philadelphia, but much cheaper. A turkey may be had for sixteen cents; and, if thought too high, a goose will be offered into the bargain. The wonderful and almost magical change which had taken place here gave me pleasure; for there were no objects which, as at Gallipolis, were associated with the deep impressions made on my boyish mind. Louisville had also become a handsome town; and thus far the curtain of the wilderness may be said to have been lifted up; but, further down, the Ohio was still the abode of solitude and gloom.

I will describe a phenomenon which we beheld a few days after leaving Louisville, but which, I fear, will tax the credulity of the reader. It was not a sea serpent, but something almost as difficult to believe. In a part of the river where the vision extended at least ten miles down, after day break (weather rainy the night before, and then drizzling), the whole heavens, to the edge of the horizon, were covered and concealed by a flight of wild pigeons, and remained so for upwards of two hours, until we reached the lower part of the long view. During the whole of the day immense flocks continued to pass. According to my computation, the principal flock was at least (if we allow a mile a minute to the flight of the pigeon), ten miles in width, by one hundred and twenty in length! If each pigeon occupied one foot square, there will be sufficient data to compute the number of the whole. I leave the matter in the hands of the schoolmaster, who may give it as an exercise to his scholars.

The captain stopped at the mouth of the Wabash, where he expected

to find a boat ready to take part of his freight intended for Vincennes, an old French town up this river. We were detained here three or four days and nights — but such nights and days may I never see again! The musquitoes fell upon us like a shower of burning coals. . . .

It was a joyful moment when we took leave of the Wabash, and were again on the bosom of the majestic Ohio, now occupying a broad expanse; the banks lined with unbroken forests; the trees occupying ground perfectly level; and their tops as even as a clipped hedge — but such a hedge as might be looked for in the country of the Brobdignags. Our captain now made known his intention to settle at New Madrid, and open a store or shop; and became all at once exceedingly desirous to save us the trouble of preparing our food; which duty he took entirely on himself. Under this pretence he took possession of the provisions; and, instead of tea and coffee, thenceforth gave us nothing but insipid cakes of Indian meal, fried with a little fat bacon. When we ventured to murmur, he showed us his teeth and his pistols. The remainder of the voyage, which was fortunately not long, proved very uncomfortable. . . . The despicable meanness and low cunning of our commander, put an end to all conversation between us; and when we reached New Madrid, Greaves and I instantly leaped on shore . . .

H[enry] M. Brackenridge, *Recollections of Persons and Places in the West* (Philadelphia, etc., [1834]), 207–225 *passim*.

138. People of the Woods (1817)

BY MORRIS BIRKBECK

Birkbeck came to America from England and settled in Illinois, where he founded the town of New Albion. He recorded his impressions of the West in two books, presenting an optimistic view. The country described in this extract is in southern Illinois. — Bibliography: Channing and Hart, *Guide*, § 23.

THESE people are healthy, and the females and children better complexioned than their neighbours of the timbered country. It is evident, that they breathe better air. But they are in a low state of civilization, about half-Indian in their mode of life. They also seem to have less cordiality towards a "land hunter" as they with some expression of contempt, call the stranger who explores their country in quest of a home.

Their habits of life do not accord with those of a thickly settled neighbourhood. They are hunters by profession, and they would have the whole range of the forests for themselves and their cattle. — Thus strangers appear among them as invaders of their privileges; as *they* have intruded on the better founded, exclusive privileges of their Indian predecessors.

But there are agreeable exceptions to the coarse part of this general character. I have met with pleasant intelligent people who were a perfect contrast to their semi-Indian neighbours; cleanly, industrious, and orderly: whilst ignorance, indolence, and disorder, with a total disregard of cleanliness in their houses and persons are too characteristic of the hunter tribe.

August 1. Dagley's, twenty miles north of Shawnee Town. After viewing several beautiful prairies, so beautiful with their surrounding woods as to seem like the creation of fancy, gardens of delight in a dreary wilderness; and after losing our horses and spending two days in recovering them, we took a hunter as our guide, and proceeded across the Little Wabash, to explore the country between that river, and the Skillet-fork.

Since we left the Fox settlement, about fifteen miles north of the Big Prairie, cultivation has been very scanty, many miles intervening between the little "clearings." This may therefore be truly called, a new country.

These lonely settlers are poorly off: — their bread corn must be ground thirty miles off, requiring three days to carry to the mill, and bring back, the small horse-load of three bushels. Articles of family manufacture are very scanty, and what they purchase is of the meanest quality and excessively dear: yet they are friendly and willing to share their simple fare with you. It is surprising how comfortable they seem, wanting every thing. To struggle with privations has now become the habit of their lives, most of them having made several successive plunges into the wilderness: and they begin already to talk of selling their "improvements," and getting still farther "back," on finding that emigrants of another description are thickening about them.

Our journey across the Little Wabash was à complete departure from all mark of civilization. We saw no bears, as they are now buried in the thickets, and seldom appear by day; but, at every few yards, we saw recent marks of their doings, "wallowing" in the long grass, or turning over the decayed logs in quest of beetles or worms, in which work the strength of this animal is equal to that of four men. Wandering with-

out track, where even the sagacity of our hunter-guide had nearly failed us, we at length arrived at the cabin of another hunter, where we lodged.

This man and his family are remarkable instances of the effect on the complexion, produced by the perpetual incarceration of a thorough woodland life. Incarceration may seem to be a term less applicable to the condition of a roving back-woodsman than to any other, and especially unsuitable to the habits of this individual and his family; for the cabin in which he entertained us, is the third dwelling he has built within the last twelve months; and a very slender motive would place him in a fourth before the ensuing winter. In his general habits, the hunter ranges as freely as the beasts he pursues: labouring under no restraint, his activity is only bounded by his own physical powers: still he is incarcerated — "Shut from the common air." Buried in the depth of a boundless forest, the breeze of health never reaches these poor wanderers; the bright prospect of distant hills fading away into the semblance of clouds, never cheered their sight. They are tall and pale, like vegetables that grow in a vault, pining for light. . . .

Our stock of provisions being nearly exhausted, we were anxious to provide ourselves with a supper by means of our guns; but we could meet with neither deer nor turkey; however, in our utmost need, we shot three racoons, an old one to be roasted for our dogs, and the two young ones to be stewed up daintily for ourselves. We soon lighted a fire, and cooked the old racoon for the dogs; but, famished as they were, they would not touch it, and their squeamishness so far abated our relish for the promised stew, that we did not press our complaining landlady to prepare it: and thus our supper consisted of the residue of our "corn" bread, and *no* racoon. However, we laid our bear skins on the filthy earth, (floor there was none,) which they assured us was "too damp for fleas," and, wrapped in our blankets, slept soundly enough; though the collops of venison, hanging in comely rows in the smoky fire-place, and even the shoulders, put by for the dogs, and which were suspended over our heads, would have been an acceptable prelude to our night's rest, had we been invited to partake of them: but our hunter and our host were too deeply engaged in conversation to think of supper. In the morning the latter kindly invited us to cook some of the collops, which we did by toasting them on a stick; and he also divided some shoulders among the dogs: — so we all fared sumptuously.

The cabin, which may serve as a specimen of these rudiments of houses, was formed of round logs, with apertures of three or four inches

between. No chimney, but large intervals between the "clapboards,' for the escape of the smoke. The roof was, however, a more effectual covering than we have generally experienced, as it protected us very tolerably from a drenching night. Two bedsteads of unhewn logs, and cleft boards laid across; — two chairs, one of them without a bottom, and a low stool, were all the furniture required by this numerous family. A string of buffalo hide stretched across the hovel, was a wardrobe for their rags; and their utensils, consisting of a large iron pot, some baskets, the effective rifle and two that were superannuated, stood about in corners, and the fiddle, which was only silent when we were asleep, hung by them. . . .

These hunters are as persevering as savages, and as indolent. They cultivate indolence as a privilege; "You English are very industrious, but we have freedom." And thus they exist in yawning indifference, surrounded with nuisances and petty wants, the first to be removed, and the latter supplied by a tenth of the time loitered away in their innumerable idle days.

Indolence, under various modifications, seems to be the easily besetting sin of the Americans, where I have travelled. The Indian probably stands highest on the scale, as an example; the backwoods' man the next; the new settler, who declines hunting takes a lower degree, and so on. I have seen interesting exceptions even among the hunting tribe; but the malady is a prevailing one in all classes . . .

At one of these lone dwellings we found a neat, respectable-looking female, spinning under the little piazza at one side of the cabin, which shaded her from the sun. Her husband was absent on business, which would detain him some week. She had no family, and no companion but her husband's faithful dog, which usually attended him in his bear hunting in the winter. She was quite overcome with "*lone*" she said, and hoped we would tie our horses in the wood, and sit awhile with her, during the heat of the day. We did so, and she rewarded us with a basin of coffee. Her husband was kind and good to her, and never left her without necessity, but a true lover of bear hunting; which he pursued alone, taking only his dog with him, though it is common for hunters to go in parties to attack this dangerous animal. . . . The cabin of this hunter was neatly arranged, and the garden well stocked.

August 2. We lodged last night at another cabin, where similar neatness prevailed within and without. The woman neat, and the children clean in skin, and whole in their clothes. The man possessed of good

sense and sound notions, ingenious and industrious, a contrast to backwood's men in general. . . .

Shawnee Town. . . . Here is the land office for the south-east district of Illinois, where I have just constituted myself a land-owner by paying seven hundred and twenty dollars, as one fourth of the purchase money of fourteen hundred and forty acres . . .

Morris Birkbeck, *Notes on a Journey in America, from the Coast of Virginia to the Territory of Illinois* (first London edition, 1818), 105–114 *passim.*

139. The Indian's Opinion of the White Man (1817)

BY REVEREND JOHN HECKEWELDER

Heckewelder was the most prominent of the Moravian missionaries to the Delaware Indians. His field was chiefly in Ohio, where he performed many services for the government in its relation with the Indians. He made a serious study of Indian life and languages, and published the results of his research in the *Transactions* of the American Philosophical Society, of which he was a member. — For Heckewelder, see Edward Rondthaler, *Life of John Heckewelder.* — Bibliography: Thomas W. Field, *An Essay towards an Indian Bibliography;* Boston Public Library, *Bulletins,* IV, 68–70; Providence Public Library, *Monthly Reference Lists,* III, 5–7.

LONG and dismal are the complaints which the Indians make of European ingratitude and injustice. They love to repeat them, and always do it with the eloquence of nature, aided by an energetic and comprehensive language, which our polished idioms cannot imitate. Often I have listened to these descriptions of their hard sufferings, until I felt ashamed of being a *white man.*

They are, in general, very minute in these recitals, and proceed with a great degree of order and regularity. They begin with the Virginians, whom they call the *long knives,* and who were the first European settlers in this part of the American continent. "It was we," say the Lenape, Mohicans, and their kindred tribes, "who so kindly received them on their first arrival into our country. We took them by the hand, and bid them welcome to sit down by our side, and live with us as brothers, but how did they requite our kindness? They at first asked only for a little land on which to raise bread for themselves and their families, and pasture for their cattle, which we freely gave them. They soon wanted more, which we also gave them. They saw the game in the woods,

which the Great Spirit had given us for our subsistence, and they wanted that too. They penetrated into the woods, in quest of game, they discovered spots of land which pleased them; that land they also wanted, and because we were loth to part with it, as we saw they had already more than they had need of, they took it from us by force and drove us to a great distance from our ancient homes."

"By and by the *Dutchemaan* arrived at *Manahachtánienk* . . . The great man wanted only a little, little land, on which to raise greens for his soup, just as much as a bullock's hide would cover. Here we first might have observed their deceitful spirit. The bullock's hide was cut up into little strips, and did not cover, indeed, but encircled a very large piece of land, which we foolishly granted to them. They were to raise *greens* on it, instead of which they planted *great guns;* afterwards they built strong houses, made themselves masters of the Island, then went up the river to our enemies, the Mengwe, made a league with them, persuaded us by their wicked arts to lay down our arms, and at last drove us entirely out of the country. . . .

"When the *Yengeese* arrived at *Machtitschwanne,* they looked about every where for good spots of land, and when they found one, they immediately and without ceremony possessed themselves of it; we were astonished, but still we let them go on, not thinking it worth while to contend for a little land. But when at last they came to our favourite spots, those which lay most convenient to our fisheries, then bloody wars ensued: we would have been contented that the white people and we should have lived quietly beside each other; but these white men encroached so fast upon us, that we saw at once we should lose all, if we did not resist them. The wars that we carried on against each other, were long and cruel. We were enraged when we saw the white people put our friends and relatives whom they had taken prisoners on board of their ships, and carry them off to sea, whether to drown or sell them as slaves, in the country from which they came, we knew not, but certain it is that none of them have ever returned or even been heard of. At last they got possession of the whole of the country which the Great Spirit had given us. One of our tribes was forced to wander far beyond Quebec; others dispersed in small bodies, and sought places of refuge where they could; some came to Pennsylvania; others went far to the westward and mingled with other tribes.

"To many of those, Pennsylvania was a last, delightful asylum. But here, again, the Europeans disturbed them, and forced them to emigrate,

although they had been most kindly and hospitably received. On which ever side of the *Lenapewihittuck*, the white people landed, they were welcomed as brothers by our ancestors, who gave them lands to live on, and even hunted for them, and furnished them with meat out of the woods. Such was our conduct to the white men, who inhabited this country, until our elder brother, the great and good MIQUON, came and brought us words of peace and good will. We believed his words, and his memory is still held in veneration among us. But it was not long before our joy was turned into sorrow: our brother Miquon died, and those of his good counsellors who were of his mind, and knew what had passed between him and our ancestors, were no longer listened to; the strangers who had taken their places, no longer spoke to us of sitting down by the side of each other as brothers of one family, they forgot that friendship which their great man had established with us, and was to last to the end of time; they now only strove to get all our land from us by fraud or by force, and when we attempted to remind them of what our good brother had said, they became angry, and sent word to our enemies the Mengwe, to meet them at a great co[u]ncil which they were to hold with us at *Læhauwake*, where they should take us by the hair of our heads, and shake us well. The Mengwe came, the council was held, and in the presence of the white men, who did not contradict them, they told us that we were women, and that they had made us such; that we had no right to any land, because it was all theirs; that we must be gone; and that as a great favour they permitted us to go and settle further into the country, at the place which they themselves pointed out at Wyoming."

Thus these good Indians, with a kind of melancholy pleasure, recite the long history of their sufferings. After having gone through these painful details, they seldom fail to indulge in bitter, but too just reflections upon the men of Europe. "We and our kindred tribes," say they, "lived in peace and harmony with each other, before the white people came into this country; our council house extended far to the north and far to the south. In the middle of it we would meet from all parts to smoke the pipe of peace together. When the white men arrived in the south, we received them as friends; we did the same when they arrived in the east. It was we, it was our forefathers, who made them welcome, and let them sit down by our side. The land they settled on was ours. We knew not but the Great Spirit had sent them to us for some good purpose, and therefore we thought they

must be a good people. We were mistaken; for no sooner had they obtained a footing on our lands, than they began to pull our council house down first at one end and then at the other, and at last meeting each other at the centre, where the council fire was yet burning bright, they put it out, and extinguished it with our own blood! with the blood of those who with us had received them! who had welcomed them in our land! Their blood ran in streams into our fire, and extinguished it so entirely, that not one spark was left us whereby to kindle a new fire; we were compelled to withdraw ourselves beyond the great swamp, and to fly to our good uncle the *Delamattenos*, who kindly gave us a tract of land to live on. How long we shall be permitted to remain in this asylum, the Great Spirit only knows. The whites will not rest contented until they shall have destroyed the last of us, and made us disappear entirely from the face of the earth."

I have given here only a brief specimen of the charges which they exhibit against the white people. There are men among them, who have by heart the whole history of what took place between the whites and the Indians, since the former first came into their country; and relate the whole with ease and with an eloquence not to be imitated. On the tablets of their memories they preserve this record for posterity. I, at one time, in April 1787, was astonished when I heard one of their orators, a great chief of the Delaware nation, go over this ground, recapitulating the most extraordinary events which had before happened, and concluding in these words: "I admit there are good white men, but they bear no proportion to the bad; the bad must be the strongest, for they rule. They do what they please. They enslave those who are not of their colour, although created by the same Great Spirit who created us. They would make slaves of us if they could, but as they cannot do it, they kill us! There is no faith to be placed in their words. They are not like the Indians, who are only enemies, while at war, and are friends in peace. They will say to an Indian, 'my friend! my brother!' They will take him by the hand, and at the same moment destroy him. And so you, (addressing himself to the Christian Indians) will also be treated by them before long. Remember! that this day I have warned you to beware of such friends as these. I know the *long knives;* they are not to be trusted."

Eleven months after this speech was delivered by this prophetic chief, ninety six of the same Christian Indians, about sixty of them women and children, were murdered at the place where these very words had

been spoken, by the same men he had alluded to, and in the same manner that he had described. . . .

John Heckewelder, *An Account of the History, Manners, and Customs, of the Indian Nations, who once Inhabited Pennsylvania and the Neighbouring States*, in American Philosophical Society, *Transactions of the Historical and Literary Committee* (Philadelphia, 1819), I, 59-65 *passim*.

140. A Muscular Christian (1830)

BY REVEREND PETER CARTWRIGHT (1856)

Cartwright when very young was taken by his father to Kentucky, and in 1801 was converted at the great Methodist camp-meeting at Cane Ridge. He began to preach at once, and was soon appointed an elder. His great moral courage and rugged ability at exhortation made him prominent among the circuit-riders, while his adventurous spirit kept him always at the frontier, where, if necessary, physical prowess might come to the aid of moral suasion. He was the type of the frontier church militant, equally loved and feared. He entered politics in Illinois, opposed slavery, but remained a Democrat, and was a candidate for Congress in 1846, being defeated by Lincoln. — Bibliography: McMaster, *History of the United States*, II, 582; Nathan Bangs, *History of the Methodist Episcopal Church*.

WHILE I was on the Sangamon District, I rode one day into Springfield, on some little business. My horse had been an excellent racking pony, but now had the stiff complaint. I called a few minutes in a store, to get some little articles; I saw in the store two young men and a young lady; they were strangers, and we had no introduction whatever; they passed out, and off. After I had transacted my little business in the store, I mounted my stiff pony, and started for home. After riding nearly two miles, I discovered ahead of me, a light, two-horse wagon, with a good span of horses hitched to the wagon; and although it was covered, yet the cover was rolled up. It was warm weather, and I saw in the wagon those two young men and the young lady that I had seen in the store. As I drew near them, they began to sing one of our camp-meeting songs, and they appeared to sing with great animation. Presently the young lady began to shout, and said, "Glory to God! Glory to God!" the driver cried out, "Amen! Glory to God!"

My first impressions were, that they had been across the Sangamon River to a camp-meeting that I knew was in progress there, and had obtained religion, and were happy. As I drew a little nearer, the young

lady began to sing and shout again. The young man who was not driving fell down, and cried aloud for mercy; the other two, shouting at the top of their voices, cried out, "Glory to God! another sinner's down." Then they fell to exhorting the young man that was down, saying, "Pray on, brother; pray on, brother; you will soon get religion." Presently up jumped the young man that was down, and shouted aloud, saying, "God has blessed my soul. Halleluiah! halleluiah! Glory to God!"

Thinking all was right, I felt like riding up, and joining in the songs of triumph and shouts of joy that rose from these three happy persons; but as I neared the wagon, I saw some glances of their eyes at each other, and at me, that created a suspicion in my mind that all was not right; and the thought occurred to me that they suspected or knew me to be a preacher, and that they were carrying on in this way to make a mock of sacred things, and to fool me. . . . A rush of indignant feeling came all over me, and I thought I would ride up and horsewhip both of these young men; and if the woman had not been in company, I think I should have done so; but I forbore. It was a vexatious encounter; if my horse had been fleet, as in former days, I could have rode right off, and left them in their glory, but he was stiff, and when I would fall back and go slow, they would check up; and when I would spur my stiff pony, and try to get ahead of them, they would crack the whip and keep ahead of me; and thus they tormented me before, as I thought, my time, and kept up a continual roar of "Another sinner's down! Another soul's converted! Glory to God! Pray on, brother! Halleluiah! halleluiah! Glory to God!" till I thought it was more than any good preacher ought to bear.

It would be hard for me to describe my feelings just about this time. It seemed to me that I was delivered over to be tormented by the devil and his imps. Just at this moment I thought of a desperate mudhole about a quarter of a mile ahead; it was a long one, and dreadful deep mud, and many wagons had stuck in it, and had to be prized out. Near the center of this mudhole there was a place of mud deeper than anywhere else. On the right stood a stump about two feet high; all the teams had to be driven as close to this stump as possible to avoid a deep rut on the left, where many wagons had stuck; I knew there was a small bridle way that wound round through the brush to avoid the mud, and it occurred to me that when we came near this muddy place I would take the bridle way, and put my horse at the top of his speed, and by this means get away from these wretched tormentors, as I knew they

could not go fast through this long reach of mud. When we came to the commencement of the mud I took the bridle path, and put spurs and whip to my horse. Seeing I was rapidly leaving them in the rear, the driver cracked his whip, and put his horses at almost full speed, and such was their anxiety to keep up with me, to carry out their sport, that when they came to this bad place they never saw the stump on the right. The fore wheel of the wagon struck centrally on the stump, and as the wheel mounted the stump, over went the wagon. Fearing it would turn entirely over and catch them under, the two young men took a leap into the mud, and when they lighted they sunk up to the middle. The young lady was dressed in white, and as the wagon went over, she sprang as far as she could, and lighted on all fours; her hands sunk into the mud up to her armpits, her mouth and the whole of her face immersed in the muddy water, and she certainly would have strangled if the young men had not relieved her. As they helped her up and out, I had wheeled my horse to see the fun. I rode up to the edge of the mud, stopped my horse, reared in my stirrups, and shouted at the top of my voice,

"Glory to God! Glory to God! Halleluiah! another sinner's down! Glory to God! Halleluiah! Glory! Halleluiah!"

If ever mortals felt mean, these youngsters did; and well they might, for they had carried on all this sport to make light of religion, and to insult a minister, a total stranger to them. But they contemned religion, and hated the Methodists, especially Methodist preachers.

When I became tired of shouting over them, I said to them:

"Now, you poor, dirty, mean sinners, take this as a just judgment of God upon you for your meanness, and repent of your dreadful wickedness; and let this be the last time that you attempt to insult a preacher; for if you repeat your abominable sport and persecutions, the next time God will serve you worse, and the devil will get you." . . .

There is another small incident connected with these two prosperous camp-meetings before named. There was a great and good work going on in our congregation from time to time; and on Sunday there were a great many from Springfield, and all the surrounding country. A great many professors of religion in other Churches professed to wish their children converted, but still they could not trust them at a Methodist meeting, especially a camp-meeting. A great many of these young people attended the camp-meetings, and on Sunday the awful displays of Divine power were felt to the utmost verge of the congregation.

When I closed my sermon, I invited mourners to the altar, and there was a mighty shaking among the dry bones; many came forward, and among the rest there were many young ladies whose parents were members of a sister Church; two in particular of these young ladies came into the altar. Their mother was present; and when she heard her daughters were kneeling at the altar of God, praying for mercy, she sent an elder of her Church to bring them out. When he came to tell them their mother had sent for them, they refused to go. He then took hold of them, and said they must go. I then took hold of him, and told him they should not go, and that if that was his business, I wanted him to leave the altar instantly. He left, and reported to their mother; and while we were kneeling all round the altar, and praying for the mourners, the mother in a great rage rushed in. When she came, all were kneeling around, and there was no place for her to get in to her daughters. As I knelt and was stooping down, talking, and encouraging the mourners, this lady stepped on my shoulders, and rushed right over my head. As, in a fearful rage, she took hold of her daughters to take them out by force, I took hold of her arm, and tried to reason with her, but I might as well have reasoned with a whirlwind. She said she would have them out at the risk of her life.

"They are my daughters," said she, "and they shall come out."

Said I to her, "This is my altar and my meeting, and I say, these girls shall not be taken out."

She seized hold of them again. I took hold of her, and put her out of the altar, and kept her out. Both of these young ladies professed religion, but they were prevented by their mother from joining the Methodists. She compelled them to join her Church, sorely against their will. They married in their mother's Church, but I fear they were hindered for life, if not finally lost. . . .

We had a camp-meeting in Morgan County, Sangamon District. While I was on this district the following remarkable providence occurred: There were large congregations from time to time, many awakened and converted to God, fifty joined the Church. G. W. Teas, now a traveling preacher in the Iowa Conference, made the fiftieth person that joined the Church. We had worship for several days and nights. On Monday, just after we dismissed for dinner, there was a very large limb of a tree that stood on the side of the ground allotted for the ladies, which, without wind or any other visible cause, broke loose and fell, with a mighty crash, right in among the ladies' seats; but as the

Lord would direct it, there was not a woman or child there when the limb fell. If it had fallen at any time while the congregation was collected, it must have killed more than a dozen persons. Just in the south of Morgan, near Lynnville, we had another camp-meeting, perhaps the same summer. In the afternoon, at three o'clock, I put up a very good local preacher to preach. He was not as interesting as some, and the congregation became restless, especially the rowdies. I went out among them, and told them they ought to hear the preacher.

"O," said they, "if it was you we would gladly hear you."

"Boys," said I, "do you really want to hear me?"

"Yes, we do," said they.

"Well," said I, "if you do, go and gather all those inattentive groups, and come down in the grove, two hundred yards south, and I will preach to you."

They collected two or three hundred. I mounted an old log; they all seated themselves in a shade. I preached to them about an hour, and not a soul moved or misbehaved. In this way I matched the rowdies for once.

Peter Cartwright, *Autobiography* (edited by W. P. Strickland, New York, etc., [1856]), 312–319 *passim*.

141. In Chicago (1833)

BY PATRICK SHIRREFF (1835)

Shirreff was a Scotch farmer who made a tour of America for the purpose of studying the adaptability of the various sections to agricultural emigration. His work deals primarily with this subject, but contains also a general comment on the country and its inhabitants, which shows an evident intent to be impartial. — Bibliography: A. T. Andreas, *History of Chicago*, I, Preface; S. E. Sparling, *Municipal History of Chicago* (University of Wisconsin, *Bulletin* No. 23), 183.

CHICAGO is situated on Lake Michigan, at the confluence of Chicago river, a small stream, affording the advantages of a canal to the inhabitants for a limited distance. At the mouth of the river is Fort-Dearborn, garrisoned by a few soldiers, and one of the places which has been long held to keep the Indian tribes in awe. The entrance from the lake to the river is much obstructed by sand banks, and an attempt is making to improve the navigation.

Chicago consists of about 150 wood houses, placed irregularly on both

sides of the river, over which there is a bridge. This is already a place of considerable trade, supplying salt, tea, coffee, sugar, and clothing to a large tract of country to the south and west; and when connected with the navigable point of the river Illinois, by a canal or railway, cannot fail of rising to importance. Almost every person I met regarded Chicago as the germ of an immense city, and speculators have already bought up, at high prices, all the building-ground in the neighbourhood. Chicago will, in all probability, attain considerable size, but its situation is not so favourable to growth as many other places in the Union. The country south and west of Chicago has a channel of trade to the south by New Orleans; and the navigation from Buffalo by Lake Huron is of such length, that perhaps the produce of the country to the south of Chicago will find an outlet to Lake Erie by the waters of the rivers Wabash and Mamee. A canal has been in progress for three years, connecting the Wabash and Mamee, which flows into the west end of Lake Erie; and there can be little difficulty in connecting the Wabash with the Illinois, which, if effected, will materially check the rise of Chicago.

At the time of visiting Chicago, there was a treaty in progress with the Pottowatamy Indians, and it was supposed nearly 8000 Indians, of all ages, belonging to different tribes, were assembled on the occasion, a treaty being considered a kind of general merry-making, which lasts several weeks; and animal food, on the present occasion, was served out by the States government. The forests and prairies in the neighbourhood were studded with the tents of the Indians, and numerous herds of horses were browsing in all directions. Some of the tribes could be distinguished by their peculiarities. The Sauks and Foxes have their heads shaven, with exception of a small tuft of hair on the crown. Their garments seemed to vary according to their circumstances, and not to their tribes. The dress of the squaws was generally blue cloth, and sometimes printed cotton, with ornaments in the ears, and occasionally also in the nose. The men generally wore white blankets, with a piece of blue cloth round their loins; and the poorest of them had no other covering, their arms, legs, and feet being exposed in nakedness. A few of them had cotton trowsers, and jackets of rich patterns, loosely flowing, secured with a sash; boots, and handkerchiefs or bands of cotton, with feathers in the head-dress, their appearance reminding me of the costume of some Asiatic nations. The men are generally without beards, but in one or two instances I saw tufts of hair on the chin, which seemed to be kept with care, and this was conspicuously so amongst the well-dressed por-

tion. The countenances of both sexes were frequently bedaubed with paint of different kinds, including red, blue, and white.

In the forenoon of my arrival, a council had been held, without transacting business, and a race took place in the afternoon. The spectators were Indians, with exception of a few travellers, and their small number showed the affair excited little interest. The riders had a piece of blue cloth round their loins, and in other respects were perfectly naked, having the whole of their bodies painted of different hues. The race-horses had not undergone a course of training. They were of ordinary breed, and, according to British taste at least, small, coarse, and ill-formed.

Intoxication prevailed to a great extent amongst both sexes. When under the influence of liquor, they did not seem unusually loquacious, and their chief delight consisted in venting low shouts, resembling something between the mewing of a cat and the barking of a dog. I observed a powerful Indian, stupified with spirits, attempting to gain admittance to a shop, vociferating in a noisy manner; as soon as he reached the highest step, a white man gave him a push, and he fell with violence on his back in a pool of mud. He repeated his attempt five or six times in my sight, and was uniformly thrown back in the same manner. Male and female Indians were looking on and enjoying the sufferings of their countryman. The inhuman wretch who thus tortured the poor Indian, was the vender of the poison which had deprived him of his senses.

Besides the assemblage of Indians, there seemed to be a general fair at Chicago. Large waggons drawn by six or eight oxen, and heavily laden with merchandise, were arriving from, and departing to, distant parts of the country. There was also a kind of horse-market, and I had much conversation with a dealer from the State of New York, having serious intentions of purchasing a horse to carry me to the banks of the Mississippi, if one could have been got suitable for the journey. The dealers attempted to palm colts on me for aged horses, and seemed versed in all the trickery which is practised by their profession in Britain.

A person showed me a model of a thrashing-machine and a churn, for which he was taking orders, and said he furnished the former at $30, or L.6, 10s. sterling. There were a number of French descendants, who are engaged in the fur-trade, met in Chicago, for the purpose of settling accounts with the Indians. They were dressed in broadcloths and boots, and boarded in the hotels. They are a swarthy scowling race, evidently tinged with Indian blood, speaking the French and English languages fluently, and much addicted to swearing and whisky.

The hotel at which our party was set down, was so disagreeably crowded, that the landlord could not positively promise beds, although he would do every thing in his power to accommodate us. The house was dirty in the extreme, and confusion reigned throughout, which the extraordinary circumstances of the village went far to extenuate. I contrived, however, to get on pretty well, having by this time learned to serve myself in many things, carrying water for washing, drying my shirt, wetted by the rain of the preceding evening, and brushing my shoes. The table was amply stored with substantial provisions, to which justice was done by the guests, although indifferently cooked, and still more so served up.

When bed-time arrived, the landlord showed me to an apartment about ten feet square, in which there were two small beds already occupied, assigning me in a corner a dirty pallet, which had evidently been recently used, and was lying in a state of confusion. Undressing for the night had become a simple proceeding, and consisted in throwing off shoes, neck-cloth, coat, and vest, the two latter being invariably used to aid the pillow, and I had long dispensed with a nightcap. I was awoke from a sound sleep towards morning, by an angry voice uttering horrid imprecations, accompanied by a demand for the bed I occupied. A lighted candle, which the individual held in his hand, showed him to be a French trader, accompanied by a friend, and as I looked on them for some time in silence, their audacity and brutality of speech increased. At length I lifted my head from the pillow, leant on my elbow, and with a steady gaze, and the calmest tone of voice, said, — "Who are you that address me in such language?" The countenance of the angry individual fell, and he subduedly asked to share my bed. Wishing to put him to a farther trial, I again replied, — "If you will ask the favour in a proper manner, I shall give you an answer." He was now either ashamed of himself, or felt his pride hurt, and both left the room without uttering a word. Next morning, the individuals who slept in the apartment with me, discovered that the intruders had acted most improperly towards them, and the most noisy of the two entered familiarly into conversation with me during breakfast, without alluding to the occurrence of the preceding evening.

Patrick Shirreff, *A Tour through North America*, etc. (Edinburgh, etc., 1835), 226–229.

CHAPTER XXII — FOREIGN POLICY

142. The Holy Alliance (1815)

BY THE ALLIED SOVEREIGNS

(TRANSLATED BY EDWARD HERTSLET, 1875)

The Holy Alliance, when signed in 1815, meant nothing more than it stated. Between that time and the next meeting of the powers, however, three years of reaction against liberalism had served to develop that system of intervention in the affairs of other states to which the signers of the Holy Alliance, in order to preserve the rights of God's anointed, agreed in 1818. It was the attempt to extend to America the sphere of influence of this alliance which called forth the final statement of the Monroe Doctrine. Hertslet's headings to the various articles have been omitted in this text. — Bibliography: Channing and Hart, *Guide*, § 178.

IN the name of the Most Holy and Indivisible Trinity.

THEIR Majesties the Emperor of Austria, the King of Prussia, and the Emperor of Russia, having, in consequence of the great events which have marked the course of the three last years in Europe, and especially of the blessings which it has pleased Divine Providence to shower down upon those States which place their confidence and their hope on it alone, acquired the intimate conviction of the necessity of settling the steps to be observed by the Powers, in their reciprocal relations, upon the sublime truths which the Holy Religion of our Saviour teaches;

They solemnly declare that the present Act has no other object than to publish, in the face of the whole world, their fixed resolution, both in the administration of their respective States, and in their political relations with every other Government, to take for their sole guide the precepts of that Holy Religion, namely, the precepts of Justice, Christian Charity, and Peace, which, far from being applicable only to private concerns, must have an immediate influence on the councils of Princes, and guide all their steps, as being the only means of consolidating human institutions and remedying their imperfections. In consequence, their Majesties have agreed on the following Articles: —

Art. I. Conformably to the words of the Holy Scriptures, which command all men to consider each other as brethren, the Three contracting Monarchs will remain united by the bonds of a true and indissoluble fraternity, and considering each other as fellow countrymen, they will, on all occasions and in all places, lend each other aid and assistance; and, regarding themselves towards their subjects and armies as fathers of families, they will lead them, in the same spirit of fraternity with which they are animated, to protect Religion, Peace, and Justice.

Art. II. In consequence, the sole principle of force, whether between the said Governments or between their Subjects, shall be that of doing each other reciprocal service, and of testifying by unalterable good will the mutual affection with which they ought to be animated, to consider themselves all as members of one and the same Christian nation; the three allied Princes looking on themselves as merely delegated by Providence to govern three branches of the One family, namely, Austria, Prussia, and Russia, thus confessing that the Christian world, of which they and their people form a part, has in reality no other Sovereign than Him to whom alone power really belongs, because in Him alone are found all the treasures of love, science, and infinite wisdom, that is to say, God, our Divine Saviour, the Word of the Most High, the Word of Life. Their Majesties consequently recommend to their people, with the most tender solicitude, as the sole means of enjoying that Peace which arises from a good conscience, and which alone is durable, to strengthen themselves every day more and more in the principles and exercise of the duties which the Divine Saviour has taught to mankind.

Art. III. All the Powers who shall choose solemnly to avow the sacred principles which have dictated the present Act, and shall acknowledge how important it is for the happiness of nations, too long agitated, that these truths should henceforth exercise over the destinies of mankind all the influence which belongs to them, will be received with equal ardour and affection into this Holy Alliance.

Done in triplicate, and signed at Paris, the year of Grace 1815, $\frac{14}{26}$th September.

(L.S.) FRANCIS.
(L.S.) FREDERICK WILLIAM.
(L.S.) ALEXANDER.

Edward Hertslet, *The Map of Europe by Treaty* (London, 1875), I, 317–319.

143. The Spanish Treaty of 1819

BY SECRETARY JOHN QUINCY ADAMS

The negotiator on the Spanish side was Don Luis de Onis, but the French minister, Hyde de Neuville, often acted as mediator. The negotiations were protracted over several years, but the results were very favorable to the United States, although she relinquished a just claim to territory on the southwest in favor of an acknowledgment of her claims on the northwest. — For Adams, see No. 128 above. — Bibliography: Winsor, *Narrative and Critical History*, VII, 524, 550; Channing and Hart, *Guide*, § 176.

10th [July, 1818]. HAD an interview at the office with Hyde de Neuville, the French Minister — all upon our affairs with Spain. He says that Spain will cede the Floridas to the United States, and let the lands go for the indemnities due to our citizens, and he urged that we should take the Sabine for the western boundary, which I told him was impossible. . . .

11th [November]. The Spanish Minister, Onis, came to my office at two o'clock. . . . He . . . said . . . that he could not agree to my proposal for the western boundary; that they had always supposed our proposed line would be north to the Missouri and follow the course of that river. . . .

[17th.] The French Minister, Hyde de Neuville, came to talk with me about our negotiations with Spain and to urge our yielding further upon the western boundary of Louisiana. He said he had thought we offered the forty-second degree of latitude, running to the South Sea; but I had very explicitly told him, and shown him, that it was the forty-first. He went over all the arguments he could muster; but I repeated to him, and requested him to write to the Duke of Richelieu, that we had retreated to the wall upon that quarter, and would never give up one drop of the waters of the Mississippi. . . .

20th. . . . The President wrote me a note suggesting a wish that I should send Onis, as soon as possible, an answer to his last letter, and, as he has rejected the western boundary offered as our ultimatum, the United States must no longer be bound to accept it. . . .

February 1st [1819]. Called upon the President, and had a conversation with him upon this renewal of negotiations with the Spanish Minister. There are various symptoms that if we do come to an arrangement there will be a large party in the country dissatisfied with our concessions from the Rio del Norte to the Sabine on the Gulf of Mexico. . . .

[4th.] I returned to the office, and Mr. De Neuville soon after came there. I discussed with him the substance of his note, told him how exceedingly anxious the President was to accomplish an arrangement with Spain, but that if we gave up the boundary on one side, Spain must give up on the other. . . .

[9th.] . . . Mr. Onis came at the appointed hour of one, and delivered to me his projet of a treaty . . .

11th. . . . The second article of Onis's projet contains the cession of the Floridas by the King of Spain to the United States, but describing the Floridas such as they were ceded by Great Britain in 1783, and with the limits by which they are designated in the treaty of limits and navigation concluded between Spain and the United States on the 27th of October, 1795. I struck out this passage, as being useless to define the cession, and as implying an admission that the part of West Florida of which we are already in possession was not included in the proposal . . .

. . . Onis's ninth article confirms all grants of lands made before the 24th of January, 1818 — that being the day when he made the first proposal for the cession of the Floridas — and declares all grants subsequent to that date null and void, the grantees not having fulfilled the conditions of the cession. I proposed to add that all prior grants should be valid only to the same extent that they would be to the King of Spain himself. It was agreed that I should urge for this addition.

The tenth article contains the mutual renunciations of claims of indemnity. . . .

The eleventh article annuls in part the Convention of August, 1802, and provides that the indemnities due to the citizens of the United States for spoliations shall be made from the proceeds of the public lands in Florida. . . .

I had drawn an additional article, to be the eleventh, providing for the examination and adjustment of all the claims by three Commissioners, citizens of the United States, to sit at Washington, and providing for the payment of the claims to the amount of five millions of dollars. . . .

[15th.] A more formidable objection was made by Mr. Onis to my third article, containing the boundary line westward of the Mississippi. After a long and violent struggle, he had agreed to take longitude one hundred, from the Red River to the Arkansas, and latitude forty-two, from the source of the Arkansas to the South Sea. But he insisted upon having the middle of all the rivers for the boundary, and not, as I proposed, the western and southern banks . . .

20th. Mr. Onis came this morning to my house, and told me that he must accept the treaty as now prepared, since we would have it so, though he still thought we ought to give up the limitation of the five millions, and the banks for the middle of the rivers as the boundaries. . . .

[April 13, 1820.] . . . In the negotiation with Spain we had a just claim to the Mississippi and its waters, and our citizens had a fair though very precarious claim to indemnities. We had a mere color of claim to the Rio del Norte, no claim to a line beyond the Rocky Mountains, and none to Florida, which we very much wanted. The treaty gives us the Mississippi and all its waters — gives us Florida — gives us an acknowledged line to the South Sea, and seventeen degrees of latitude upon its shores — gives our citizens five millions of dollars of indemnity — and barely gives up to Spain the colorable claim from the Sabine to the Rio del Norte. . . .

John Quincy Adams, *Memoirs* (edited by Charles Francis Adams, Philadelphia, 1875), IV, 106–V, 69 *passim*.

144. Complaint of Arbitrary Government in a Dependency (1821)

BY COLONEL DON JOSEPH CALLAVA

(Anonymous Translation)

Callava was governor of Florida, and was the Spanish commissary intrusted with delivering the territory to Andrew Jackson, the American commissary. Jackson, filled with the idea that Callava intended to carry off papers relating to a land title, proceeded in his usual precipitous fashion to prevent the fraud. He succeeded. He also made his own government very uncomfortable. This extract is from Callava's protest to the Spanish minister at Washington. — Bibliography: James Parton, *Andrew Jackson*, I, xiii–xiv, xviii, and II, 594–639; Channing and Hart, *Guide*, § 176.

ON the 17th day of July last, at 10 o'clock in the morning, I delivered West Florida, which was that day under my charge as governor, in which character he met me, to the commissary Don Andrew Jackson, in a public act held in the government house. There he received from me all the archives and documents registered . . .

The papers of the official correspondence belonging to the secretary's office remained in the charge of the secretary of my government; and the

military papers, judicial proceedings of the national finance, and arrivals, (arribadas finecidas,) belonging to their respective branches at the Havanna, to which they have been restored by the evacuation, remained with the secretary of war and finance, which office, Don Domingo Sousa had exercised for the space of fifteen or twenty years. There also remained . . . the artillery, with what belonged to that department, kept under my protection, during the delivery or removing of it, (which in either case had to be executed by me,) according to the determination which might be made by the President of the United States, and the minister plenipotentiary of H. C. Majesty, near that government . . . I have waited for that resolution, (which is yet pending;) and the commissary Don Andrew Jackson, so understood me . . .

The day previous to these transactions (the 21st of August) three persons, dependants of Don Andrew Jackson, came to the house of the secretary Sousa, to be informed if he had in his possession some military testamentary dispositions, which they mentioned to him. Sousa told them, yes, and without reserve they were shewn to them, and he informed them that if they wished for any thing, they should ask me. All the papers which he had in his charge were closely examined: they declared that they would carry off those which they had pointed out to him, because they could not be in his possession as a private individual. Sousa told them that he was not a private individual, that he was an officer depending on my commission and authority, and that he could not give them without my order; and, finally, they went away, leaving the papers. . . .

The following day, (22d) in the morning, this officer met me in the street: he . . . told me that he had resolved to carry the boxes to my house, with all the papers which he had in his possession, and had delivered them to my steward . . .

At four in the afternoon of the same day . . . three persons presented themselves to me . . . telling me, from Don Andrew Jackson, that they came for the papers which Sousa had carried to my house, or to carry me with them to Jackson's house; because the Governor with his authority could not respect me in any other light than as a private individual.

Astonished to find myself involved in such events, with expressive actions I intreated them to do me the honor of returning to the Commissary Governor with my compliments, asking him, how he could forget that I was the Spanish Commissary who had delivered to him that

Province, and whom he had found as Governor in it, and who at the same time had not been removed by his government, nor concluded the delivery, nor withdrawn the artillery . . . nor of other things under my power? That I was surprized at what passed between us; that he would have the goodness to reflect that every paper in my possession on that day, belonged to the government which I had exercised in that province, was sacred under my authority and character, by the privilege of the law of nations, which has always been mutually observed and respected among nations, as to those individuals of either, to whom the execution of treaties has been entrusted, or other Commissioners, and it is a thing unknown that any authority has forcibly violated a trust so sacred, without cause or reason; that whatever paper he might wish to ask, he might demand of me in *writing* . . . that this was the only mode agreeable to the exact usual procedure in the important charge with which we were entrusted, in the political subject between nations, in the performance of which he could not, by his authority, call my proceedings in question, nor constrain them by judicial force as Governor, by which the security of the papers in my possession could be violated, nor any other thing directly depending not on my person, but on my official situation . . .

. . . An hour afterwards, one of the three presented himself in my house, and gave me an abstract, written on a half sheet of paper, in the English language, and signed *Alcalde Brackenridge*. I took it; I told him that I should have it translated, and should reply to it; he went away; I gave it to the interpreter at that hour, which was nine at night, and sought repose on the bed; but, a while after, and without further preliminaries, a party of troops, with the commissioners, assaulted the house, breaking the fence, (notwithstanding the door was open,) and the commissioners entered my apartment; they surrounded my bed with soldiers with drawn bayonets in their hands, they removed the mosquito net, they made me sit up, and demanded *the papers, or they would use the arms against my person*. . . .

In fine, a short while after, one of the three went out, and returned, accompanied with an officer, who, placing himself before me, told me I was a prisoner, and ordered me to dress myself. . . . I dressed in my uniform, was going to put on my sword, but, upon reflection, thought it better to deliver it to the officer. I did so, and one of the three took it from his hand and threw it upon the chimney, and in this manner I was conducted through the streets among the troops.

They took me to a private house, in which they presented me to Don Andrew Jackson, who, with two other persons, was seated near a table; the house was filled with people of all ages and classes, and there he made me a sign to sit down, which I did.

By the only interpreter who had hitherto delivered and carried back the verbal messages, which I have already mentioned, he put one question to me, according to my recollection, confined solely to whether certain papers had been carried to my house by Don Domingo Sousa and delivered to my steward.

I requested him to permit me to answer in writing, and to do so with my own hand. He granted it readily. I set myself to write a regular protest, that I might go on to answer afterwards; but, I had hardly began, when Don Andrew Jackson took the paper from before me, and, with much violence and furious gestures, spoke for some time, looking at the by-standers, and, when he had concluded, the interpreter told me that he ordered me to give no other answer to all that he had asked me but *yes or no*. I replied, that I offered to be very brief, but that he should question me *by writing the question*, and permitting me to write the answer with my own hand, and give in my turn the most precise reason for it. He absolutely refused me, and the interpreter wrote upon that same paper which had been snatched from me, I know not what.

. . . Nothing was read to me, nor was I informed of any thing which the interpreter wrote in that act, nor was any signature required of me . . .

I remained silent; they called my steward; they asked him if certain papers had been delivered to him by Sousa, at my house. He answered *yes*.

Don Andrew Jackson drew from among other papers one which was already written; he read it to me, and it contained the order for committing me and my steward to prison.

I got upon my feet. I begged the interpreter to ask him if he did not shudder and was not struck with horror at insulting me, and I pronounced a solemn protest against his proceedings. The interpreter informed him, and he replied, that for what he had done he had no account to give but to his government, and he told me that I might protest before God himself.

I was carried off to prison at twelve at night, and my steward also. . . . afterwards, I was informed by various persons who understood the Spanish and English languages, that the matters above related, which had been conceived against me, and were not translated by the interpreter,

consisted in having endeavored to persuade the people that the papers were taken from the office of the alcalde, and that I was an accomplice in that criminal action.

At eleven in the morning of the following day, the 23d, Judge Eligius Fromentin issued a writ of *Habeas Corpus* for the release of my person, and Don Andrew Jackson answered, that it was not proper to carry it into execution: but on the same day, at one in the afternoon, he gave order that an officer should inform me, that I was released from prison, and might be accompanied by him to my house, to examine if the boxes were sealed. . . .

I went thither with the officer, and many other persons; it was found open, with three or four soldiers within; the papers of official correspondence scattered upon the table, and the covers open; one box which was left shut, and sealed with the seal of my government, had been burst open, the seals broken, and again shut, with different seals, and nothing was found wrong in the contents of the money chest. . . .

Message from the President of the United States, transmitting . . . the Documents relating to a Misunderstanding between Andrew Jackson . . . and Elijius Fromentin, January 29, 1822 (Washington, 1822), 100-107 *passim*. (This is House Document, 17 Cong., 1 sess., No. 42.)

145. The Russian Ukase on Alaskan Waters (1821)

BY CZAR ALEXANDER FIRST

(Anonymous Translation)

The southern limit of Russia's control of Alaskan waters had been fixed at latitude 51°, because that point was about midway between Sitka, where there was a Russian settlement, and the mouth of the Columbia. To the restrictions imposed Secretary Adams objected, and told the Russian minister that the United States could not acknowledge the right of any European power to colonize the Pacific coast. This was some months before the Monroe Doctrine was announced in the president's message (see No. 147 below). A treaty resulted which fixed the southern boundary of Alaska at latitude 54° 40′. — Bibliography: H. H. Bancroft, *History of the Pacific States*, XXIII, 348–351; Channing and Hart, *Guide*, § 178.

THE Directing Senate maketh known unto all men: Whereas, in an Edict of His Imperial Majesty, issued to the Directing Senate on the 4th day of September, and signed by his Imperial Majesty's own hand, it is thus expressed:

"Observing, from reports submitted to us, that the trade of our subjects on the Aleutian Islands and on the northwest coast of America appertaining unto Russia, is subjected, because of secret and illicit traffic, to oppression and impediments; and finding that the principal cause of these difficulties is the want of rules establishing the boundaries for navigation along these coasts, and the order of naval communication, as well in these places as on the whole of the eastern coast of Siberia and the Kurile Islands, we have deemed it necessary to determine these communications by specific regulations, which are hereto attached.

"In forwarding these regulations to the Directing Senate, we command that the same be published for universal information, and that the proper measures be taken to carry them into execution."

Countersigned

COUNT D. GURIEF,
Minister of Finances.

It is therefore decreed by the Directing Senate, that His Imperial Majesty's Edict be published for the information of all men, and that the same be obeyed by all whom it may concern. . . .

Printed at St. Petersburg, in the Senate, 7th September, 1821.

On the original is written, in the hand writing of his imperial majesty, thus:

Be it accordingly.

ALEXANDER.

KAMENNOY OSTROFF, *4th September*, 1821. . .

SEC. 1. The pursuits of commerce, whaling, and fishery, and of all other industry, on all islands, ports, and gulfs, including the whole of the northwest coast of America, beginning from Behring's Straits, to the 51° of northern latitude, also from the Aleutian islands to the eastern coast of Siberia, as well as along the Kurile islands from Behring's Straits to the south cape of the island of Urup, viz: to the 45° 50′ northern latitude, is exclusively granted to Russian subjects.

SEC. 2. It is therefore prohibited to all foreign vessels, not only to land on the coasts and islands belonging to Russia, as stated above, but also to approach them within less than an hundred Italian miles. The transgressor's vessel is subject to confiscation, along with the whole cargo.

SEC. 3. An exception to this rule is to be made in favor of vessels carried thither by heavy gales, or real want of provisions, and unable to

make any other shore but such as belong to Russia; in these cases they are obliged to produce convincing proofs of actual reason for such an exception. Ships of friendly governments, merely on discoveries, are likewise exempt from the foregoing rule, (section 2.) In this case, however, they must previously be provided with passports from the Russian minister of the navy.

SEC. 4. Foreign merchant ships, which for reasons stated in the foregoing rule, touch at any of the above mentioned coasts, are obliged to endeavor to choose a place where Russians are settled, and to act as hereunder stated. . . .

SEC. 14. It is likewise interdicted to foreign ships, to carry on any traffic or barter with the natives of the islands, and of the north west coast of America, in the whole extent hereabove mentioned. A ship convicted of this trade shall be confiscated.

Message from the President of the United States . . . in relation to Claims set up by Foreign Governments to Territory of the United States upon the Pacific Ocean, April 17, 1822 (Washington, 1822), 20–23 *passim*. (This is House Document, 17 Cong., 1 sess., No. 112.)

146. Conditions of Mexico (1823)

BY WILLIAM BULLOCK

Bullock was an English traveller, naturalist, antiquarian, and proprietor of a popular museum in London. His visit to Mexico, which was for scientific purposes and the collection of curiosities only, took place at a time when the republicans were at strife with the short-lived empire of Iturbide. — Bibliography: War Department Library, *Index of Publications relating to Mexico, passim*, especially 37–38; H. H. Bancroft, *History of the Pacific States*, IX, 659–666; A. D. Anderson, *Mexico from the Material Stand-Point*, Appendix.

OF the people I can give no very satisfactory account. They are patterns of politeness, full of compliments, and profess that their houses are at your service, but seldom ask you in. Of the ladies strangers see but little: they seldom appear in the streets, and there they are in the same habits as at church; but in their houses they are gay, sprightly, and affable. . . .

Both men and women in general are very ill-informed with respect to the state of Europe. They believe the continent to be under the dominion of Spain; that England, France, Italy, Holland, Germany,

&c. are only so many paltry states or provinces to which the king of Spain appoints governors, who superintend the manufactories, &c. for the benefit of that country. I found it dangerous to contradict this flatly. One lady asked me where a muslin dress had been made? "in England," "and how came it here?" "probably through Spain," I replied; "well then, what is England but the workshop of Spain?" Many think that the riches of Spain enable the others, and as they call them, the poorer parts of Europe, to live. . . .

Cabinet work is very inferior and expensive in Mexico: they have few of the tools employed in Europe . . . It will be learnt with surprise, that in this country the saw (except a small hand-frame,) is still unknown: every plank, and the timber used in the erection of all the Spanish American cities, is hewn by Indians with light axes from the solid trees, which make each but one board. . . .

The account of the manufactories of New Spain will occupy but a small space. The policy always pursued by the mother-country in keeping the colonies dependent on her as much as possible induced her to frame strong laws for this purpose. Silk-worms were not allowed to be reared, nor flax to be cultivated; and the vine and olive were prohibited under severe penalties. A few coarse woollens and cottons, amounting in the whole country to scarcely a million and a half sterling, were, it appears, formerly made; but during the revolution even these have diminished.

The wretched system in which public manufactories are conducted is of itself sufficient to disgust even the most degraded and lowest of the human species. Instead of encouraging the love of labour and industry, as the means of obtaining comfort, wealth, and enjoyment, it is here accompanied by slavery, poverty, and misery.

Every manufactory that requires many hands is strictly a prison, from which the wretched inmates cannot remove, and are treated with the utmost rigour. Many of them are really confined for a number of years for crimes against the laws; and others, by borrowing a sum of money from the owners, pledge their persons and their labours till they redeem it, which it often happens is never done. The proprietor, instead of paying in money, supplies them with spirits, tobacco, &c. and by these means they increase, rather than liquidate, the original debt.

. . . They have mass said for the wretched inmates on the premises; but high walls, double doors, barred windows, and severe corporeal punishments inflicted in these places of forced industry, make them as bad as the worst-conducted gaol in Europe. . . .

Cast iron, so generally useful and necessary to us, is almost unknown in New Spain; its use for culinary purposes being supplied by the excellence of their common earthenware. Of its powers, when connected with steam, they have received such exaggerated accounts, that they in general disbelieve the whole. One person asked if it was true that, by means of a boiling teakettle, a thousand persons could be moved in safety one hundred miles a day. And the French story, of the inhabitants of Birmingham making their clergy of cast iron, and causing them to preach by steam, had been recently imported in an American bottom. But the Conde de Reglia having lately discovered both coal and iron on his estates, we may hope in a short time to convince the Mexicans of the great advantage to be derived from these materials. . . .

The literary establishments at present in Mexico are very few, and no libraries of any extent are open to the public. The productions of the press are not numerous, nor is there any thing that supplies the place of our magazines, or other periodical publications. There are now, however, three or four daily papers, but they contain very little information; they are only just beginning to insert advertisements, which are received gratis, in the same manner as they were in England at the commencement of our newspapers.

Lancastrian schools were established in the capital by the Emperor Augustine I., who is now in London: he informed me that it was his intention to have extended them throughout all the provinces. Something of the same nature is in contemplation by the present Government.

The children of the nobility and wealthy inhabitants, are principally taught at home. The places of public instruction in greatest repute are the Seminario and San Idelfonza. . . .

Medical and surgical knowledge is less cultivated here than in Europe. Dissections are not allowed by law. . . .

The Agriculturists of New Spain, like the artists and manufacturers, are considerably behind those of Europe. The fineness of the soil and climate renders less labour and management necessary than with us; and the laying of manure on the land seems to be little practised. . . . Irrigation has been used from the earliest period. A simple plough of wood, pointed with iron, is drawn by two oxen, which are fastened to it by the horns . . .

The coa or spade is a simple triangular instrument of wood, armed with iron, and is used with great dexterity by the Indians.

The wheat is the finest I have ever seen. The fields are very exten-

sive, and the grain is trodden out by mules, as it was formerly in Europe, and as it is still in Egypt, by Oxen. . . .

The Indian corn, or maize, is very generally cultivated, and forms the supply of bread for the great mass of the people. . . .

Sugar is made by the Indians in most parts of Mexico, though formerly imported from Spain. It is sold in small cakes, at a very reasonable rate. . . .

Coffee is grown, though not very generally . . .

Cotton of a very fine quality is abundantly produced in most of the warm parts, but is manufactured to great disadvantage by the natives. . . . The machine for extracting the seed is not known, and this troublesome process is performed by hand. The Indians also expose for sale great quantities of coarse calico, of their own making. . . .

Excellent tobacco is produced in many parts of Mexico, and it was used in the form of segars in such quantities as to yield, in the time of the Spaniards, a net revenue of £833,400 . . .

I found . . . that several respectable English mercantile houses had been established . . . and that others were preparing; strong hopes were entertained that the heavy import duties would shortly be lessened, and the facilities for transporting goods into the interior be increased. A plan for the establishing of waggons on the great road to the capital had been partially acted on by some gentlemen from the United States, and promised to be successful, especially if the road were put into a state of repair, and a few of the unfinished points of connexion completed, which would not be attended with very considerable expense, with the exception of one place, as it lies principally through a populous country, abounding with good stone for the purpose. . . . Without it, the conveyance of the heavy cast iron machinery of the steam-engines, with the necessary iron tools, &c. for the mines now about to be opened, will be a labour of great difficulty.

The duties and other expenses on the landing of goods at Vera Cruz are enormously high, and tend much to discourage the mercantile speculator; eight and a half per cent. ad valorem is paid on all cargoes from Europe at the Spanish castle of St. Juan de Ulua, and twenty-seven and a half to the town. This too is on their own arbitrary valuation, and is often three times the original cost. One dollar each package is charged for the hospital, and four and a half dollars per ton on the ship, according to her register; three rials per ton for water; eight dollars for the captain of the port; and thirty-two dollars each trip for the use of large

boats for landing the cargo: to these may be added the expense of porterage to the custom-house, and afterwards to the stores of the merchants; even this is expensive, as labour of all kinds is here excessively high-priced, and the insolence of the negro porters is intolerable. The above are the principal charges at the port, to which the removal of goods to Mexico adds much, as they pay an additional duty of about twelve per cent. on their arrival, and the carriage of every horse or mule-load, from two to three hundred weight, is from eighteen to twenty-two dollars. The goods sold in Mexico pay again another duty, on being removed to the provinces; but if they are intended, when landed, to be removed direct to the cities beyond Mexico, an arrangement can be made at the port custom-house which will save some of the expenses. . . .

The contraband trade carried on by the Castle is a source of considerable loss and trouble to the fair trader, as it is notorious that, by intriguing with its officers of the customs, goods to a vast amount may be clandestinely conveyed into the country. . . . It is principally the Spanish merchants who are thus enabled to avoid the heavy duties and charges demanded by the Mexican government, and who by these means are competent to undersell the fair trader in the article of his own manufacture. This state of things cannot be of long continuance . . . The state of trade has already undergone as great a change as the politics of Mexico, and the further alterations of fashions will introduce a more extensive demand for our manufactures. . . .

The prosperity of Mexico must always depend on the cultivation of her immense mineral wealth. The silver mines have already produced more riches than those of any other portion of the globe, and more rapid fortunes have been made by individuals than are possessed by any in Europe. . . . Mining operations, it is believed, have never been well conducted here, notwithstanding which, more than one thousand six hundred millions sterling have been issued from the treasury.

Nothing is now wanting, in my opinion, to re-establish the prosperity of this fine country, but an acknowledgment of its independence by Great Britain. That it is for ever severed from the mother-country I have not the smallest doubt: but in its present state it may yet linger, from the debility to which it is reduced by the revolution, for years, unless cherished by our assistance, with which it would shortly rise and be again in opulence and productiveness . . .

W[illiam] Bullock, *Six Months' Residence and Travels in Mexico* (London, 1824), 52–498 *passim*.

147. The Monroe Doctrine as Monroe Stated it (1817–1824)

BY PRESIDENT JAMES MONROE

The Monroe Doctrine, so-called, was a growth, the germs of which could be found as far back as the beginning of the nation. Rooted in the conviction that the United States should remain free from all the inter-relationships of the European states, it was brought to maturity by the fear that that freedom was endangered. The final growth during Monroe's administration is traced in the extracts below taken from his inaugural addresses and annual messages. — For Monroe, see No. 74 above. — Bibliography as in No. 142 above. — For other articles on this policy, see Nos. 84, 106 above, and No. 148 below.

[March 4, 1817.] DANGERS from abroad are not less deserving of attention. Experiencing the fortune of other nations, the United States may be again involved in war, and it may in that event be the object of the adverse party to overset our Government, to break our Union, and demolish us as a nation. Our distance from Europe and the just, moderate, and pacific policy of our Government may form some security against these dangers, but they ought to be anticipated and guarded against. . . .

[December 2.] It was anticipated at an early stage that the contest between Spain and the colonies would become highly interesting to the United States. It was natural that our citizens should sympathize in events which affected their neighbors. It seemed probable also that the prosecution of the conflict along our coast and in contiguous countries would occasionally interrupt our commerce and otherwise affect the persons and property of our citizens. These anticipations have been realized. Such injuries have been received from persons acting under authority of both the parties, and for which redress has in most instances been withheld. Through every stage of the conflict the United States have maintained an impartial neutrality, giving aid to neither of the parties in men, money, ships, or munitions of war. They have regarded the contest not in the light of an ordinary insurrection or rebellion, but as a civil war between parties nearly equal, having as to neutral powers equal rights. Our ports have been open to both, and every article the fruit of our soil or of the industry of our citizens which either was permitted to take has been equally free to the other. Should the colonies establish their independence, it is proper now to state that this Government neither seeks nor would accept from them

any advantage in commerce or otherwise which will not be equally open to all other nations. The colonies will in that event become independent states, free from any obligation to or connection with us which it may not then be their interest to form on the basis of a fair reciprocity. . . .

[November 16, 1818.] By a circular note addressed by the ministers of Spain to the allied powers, with whom they are respectively accredited, it appears that the allies have undertaken to mediate between Spain and the South American Provinces, and that the manner and extent of their interposition would be settled by a congress which was to have met at Aix-la-Chapelle in September last. From the general policy and course of proceeding observed by the allied powers in regard to this contest it is inferred that they will confine their interposition to the expression of their sentiments, abstaining from the application of force. I state this impression that force will not be applied with the greater satisfaction because it is a course more consistent with justice and likewise authorizes a hope that the calamities of the war will be confined to the parties only, and will be of shorter duration.

From the view taken of this subject, founded on all the information that we have been able to obtain, there is good cause to be satisfied with the course heretofore pursued by the United States in regard to this contest, and to conclude that it is proper to adhere to it, especially in the present state of affairs. . . .

[December 7, 1819.] This contest has from its commencement been very interesting to other powers, and to none more so than to the United States. A virtuous people may and will confine themselves within the limit of a strict neutrality; but it is not in their power to behold a conflict so vitally important to their neighbors without the sensibility and sympathy which naturally belong to such a case. It has been the steady purpose of this Government to prevent that feeling leading to excess, and it is very gratifying to have it in my power to state that so strong has been the sense throughout the whole community of what was due to the character and obligations of the nation that very few examples of a contrary kind have occurred.

The distance of the colonies from the parent country and the great extent of their population and resources gave them advantages which it was anticipated at a very early period would be difficult for Spain to surmount. The steadiness, consistency, and success with which they have pursued their object, as evinced more particularly by the undisturbed sovereignty which Buenos Ayres has so long enjoyed, evidently

give them a strong claim to the favorable consideration of other nations. These sentiments on the part of the United States have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world that the efforts of Spain to subdue these Provinces will be fruitless, it may be presumed that the Spanish Government itself will give up the contest. In producing such a determination it can not be doubted that the opinion of friendly powers who have taken no part in the controversy will have their merited influence. . . .

[November 14, 1820.] . . . No facts are known to this Government to warrant the belief that any of the powers of Europe will take part in the contest, whence it may be inferred, considering all circumstances which must have weight in producing the result, that an adjustment will finally take place on the basis proposed by the colonies. To promote that result by friendly counsels with other powers, including Spain herself, has been the uniform policy of this Government. . . .

[March 5, 1821.] This contest was considered at an early stage by my predecessor a civil war in which the parties were entitled to equal rights in our ports. This decision, the first made by any power, being formed on great consideration of the comparative strength and resources of the parties, the length of time, and successful opposition made by the colonies, and of all other circumstances on which it ought to depend, was in strict accord with the law of nations. . . .

[December 3, 1821.] . . . It has long been manifest that it would be impossible for Spain to reduce these colonies by force, and equally so that no conditions short of their independence would be satisfactory to them. It may therefore be presumed, and it is earnestly hoped, that the Government of Spain, guided by enlightened and liberal councils, will find it to comport with its interests and due to its magnanimity to terminate this exhausting controversy on that basis. To promote this result by friendly counsel with the Government of Spain will be the object of the Government of the United States. . . .

[December 2, 1823.] At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiation the respective rights and interests of the two nations on the northwest coast of this continent. . . . In the discussions to which this interest has given rise and in the arrangements by which they may terminate

the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers. . . .

. . . The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. . . .

. . . Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, sub-

mitting to injuries from none. But in regard to those continents circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. . . .

[December 7, 1824.] . . . these new States are settling down under Governments elective and representative in every branch, similar to our own. In this course we ardently wish them to persevere, under a firm conviction that it will promote their happiness. In this, their career, however, we have not interfered, believing that every people have a right to institute for themselves the government which, in their judgment, may suit them best. Our example is before them, of the good effect of which, being our neighbors, they are competent judges, and to their judgment we leave it, in the expectation that other powers will pursue the same policy. The deep interest which we take in their independence, which we have acknowledged, and in their enjoyment of all the rights incident thereto, especially in the very important one of instituting their own Governments, has been declared, and is known to the world. Separated as we are from Europe by the great Atlantic Ocean, we can have no concern in the wars of the European Governments nor in the causes which produce them. The balance of power between them, into whichever scale it may turn in its various vibrations, can not affect us. It is the interest of the United States to preserve the most friendly relations with every power and on conditions fair, equal, and applicable to all. But in regard to our neighbors our situation is different. It is impossible for the European Governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us; indeed, the motive which might induce such interference in the present state of the war between the parties, if a war it may be called, would appear to be equally applicable to us. It is gratifying to know that some of the powers with whom we enjoy a very friendly intercourse, and to whom these views have been communicated, have appeared to acquiesce in them.

James D. Richardson, *A Compilation of the Messages and Papers of the Presidents* (Washington, 1896), II, 7–260 *passim*.

148. Exposition of the Monroe Doctrine (1825)

BY SECRETARY HENRY CLAY

These letters to Joel R. Poinsett, minister to Mexico, cleared Clay of the suspicion of abandoning the Monroe Doctrine, a misgiving to which certain acts when he was a candidate for the presidency gave color. The Spanish American states were quick to assume that the United States was pledged to protect them, but they were reluctant to grant her even the privileges which they gave to each other. — For Clay, see No. 125 above. — Bibliography as in No. 142 above.

[Washington, March 25, 1825.]

YOU will bring to the notice of the Mexican Government the message of the late President of the United States to their Congress on the 2d of December, 1823, asserting certain important principles of intercontinental law in the relations of Europe and America. The first principle asserted in that message is, that the American continents are not henceforth to be considered as subjects for future colonization by any European Powers. In the maintenance of that principle all the independent Governments of America have an interest, but that of the United States has probably the least. Whatever foundation may have existed three centuries ago, or even at a later period, when all this continent was under European subjection, for the establishment of a rule, founded on priority of discovery and occupation, for apportioning among the Powers of Europe parts of this continent, none can now be admitted as applicable to its present condition. There is no disposition to disturb the colonial possessions, as they may now exist, of any of the European Powers, but it is against the establishment of new European colonies upon this continent that the principle is directed. The countries in which any such new establishments might be attempted are now open to the enterprise and commerce of all Americans; and the justice or propriety cannot be recognized of arbitrarily limiting and circumscribing that enterprise and commerce by the act of voluntarily planting a new colony, without the consent of America, under the auspices of foreign Powers belonging to another and a distant continent. Europe would be indignant at any American attempt to plant a colony on any part of her shores; and her justice must perceive, in the rule contended for, only perfect reciprocity.

The other principle asserted in the message is, that, whilst we do not desire to interfere in Europe with the political system of the allied Powers, we should regard as dangerous to our peace and safety any

attempt on their part to extend their system to any portion of this hemisphere. The political systems of the two continents are essentially different. Each has an exclusive right to judge for itself what is best suited to its own condition and most likely to promote its happiness, but neither has a right to enforce upon the other the establishment of its own peculiar system. This principle was declared in the face of the world at a moment when there was reason to apprehend that the allied Powers were entertaining designs inimical to the freedom, if not the independence, of the new Governments. There is ground for believing that the declaration of it had considerable effect in preventing the maturity, if not in producing the abandonment, of all such designs. Both principles were laid down after much anxious deliberation on the part of the late administration. The President, who then formed a part of it, continues entirely to coincide in both; and you will urge upon the Government of Mexico the utility and expediency of asserting the same principles on all proper occasions. . . .

[November 9.] . . . The point is, an exception in favor of the American nations which were formerly Spanish possessions, to which, on account of . . . fraternal relations . . . the United Mexican States . . . may grant special privileges . . .

. . . If the idea of those fraternal relations is to be sought for in the sympathy between the American belligerents, this sympathy has been equally felt and constantly expressed, throughout the whole struggle, by the United States. They have not, indeed, taken up arms in support of the independence of the new States; but the neutrality which they have maintained has enabled them more efficaciously to serve the cause of independence than they could have done by taking part in the war. Had they become a belligerent, they would probably have drawn into the war, on the other side, parties whose force would have neutralized, if it had not overbalanced, their exertions. By maintaining neutral ground, they have entitled themselves to speak out with effect, and they have constantly so spoken to the Powers of Europe. They disconcerted the designs of the European alliance upon the new States by the uncalculating declarations which they made in the face of the world. They were the first to hasten to acknowledge the independence of the United Mexican States, and, by their example, drew after them Great Britain. It has, no doubt, not escaped your observation that, in the case of the treaty which has been concluded between the United States and the Republic of Colombia . . . no such exception was

set . . . up by that Republic. On the contrary, it is expressly stipulated in the second article that the parties "engage mutually not to grant any particular favor to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or allowing the same compensation, if the concession was conditional."

There is a striking inconsistency in the line of policy which the United Mexican States would seem disposed to pursue towards the United States. They would regard these States as an American nation or not, accordingly as it shall suit their own purposes. In respect to commerce, they would look upon us as an European nation, to be excluded from the enjoyment of privileges conceded to other American nations. But when an attack is imagined to be menaced by Europe upon the independence of the United Mexican States, then an appeal is made to those fraternal sympathies which are justly supposed to belong to our condition as a member of the American family. No longer than about three months ago, when an invasion by France of the island of Cuba was believed at Mexico, the United Mexican Government promptly called upon the Government of the United States, through you, to fulfil the memorable pledge of the President of the United States in his message to Congress of December, 1823. What they would have done had the contingency happened, may be inferred from a despatch to the American minister at Paris, a copy of which is herewith sent, which you are authorized to read to the plenipotentiaries of the United Mexican States. Again: the United Mexican Government has invited that of the United States to be represented at the Congress of Panama, and the President has determined to accept the invitation. Such an invitation has been given to no European Power, and it ought not to have been given to this, if it is not to be considered as one of the American nations.

The President indulges the confident expectation that, upon reconsideration, the Mexican Government will withdraw the exception. But if it should continue to insist upon it, you will, upon that ground, abstain from concluding any treaty, and put an end to the negotiation. It is deemed better to have no treaty and abide by the respective commercial laws of the two countries, than to subscribe to a principle wholly inadmissible, and which, being assented to in the case of Mexico, might form a precedent to be extended to others of the new States.

American State Papers, Foreign Relations, Second Series (edited by Asbury Dickins and James C. Allen, Washington, 1859), VI, 579–583 *passim*.

149. Designs on Cuba (1825)

BY MINISTER ALEXANDER HILL EVERETT

Everett was an older brother of Edward Everett, and a trained diplomatist. John Quincy Adams made him minister to Spain; when he returned to America at the end of Adams's administration he became editor of the *North American Review;* and in 1840 he resided in Cuba, as confidential agent of the United States. The interest of the United States in the Cuban question began with the acquisition of Florida and the successful rebellion of Spain's South and Central American colonies. This is an extract from a private letter written to President Adams. Everett doubtless felt assured of Adams's approval of the advances here described. Zea Bermudez, mentioned in the text, was the Spanish minister of foreign affairs. — Bibliography: A. P. C. Griffin, *List of Books relating to Cuba* (Senate Document, 55 Cong., 2 sess., No. 161).

MADRID, Nov. 30, 1825.

. . . I THINK it proper to make you acquainted with one circumstance in my intercourse with this Government of rather a delicate nature which I have not introduced into my despatches on account of their being liable to be called for and published at any moment. It occurred in my communications with the Minister upon our relations with the island of Cuba.

It has always appeared to me, and such I believe is the general opinion in the United States, that this island forms properly an appendage of the Floridas. Since the cession of these provinces an impression has generally prevailed throughout the country that Cuba must at one time or another belong to us. Indeed this idea was entertained, as I have been told, by many persons of the highest respectability, including Mr. Jefferson, long before the conclusion of the Florida treaty. It grows naturally out of a consideration of the Geographical position of the island as respects the United States. In the hands of a powerful and active nation, it would carry with it so complete a control over the commerce of the Gulph of Mexico, and over the navigation of the River Mississippi, as to endanger very much the intercourse of our country in that quarter. Our safety from this danger has, I believe, long been considered as resulting wholly from the feebleness and insufficiency of Spain; and it has been viewed by all as a settled point that the American Government could not consent to any change in the political situation of Cuba other than one which should place it under the jurisdiction of the United States. This view of the subject is strongly intimated in my official instructions. Such are the first considerations that present themselves in regard to our relations with the island of

Cuba. The next in order are that it is impossible, in fact, — in consequence of the internal state of the island, the obstinate adherence of Spain to the Colonial System, and the growing strength of the new States, — that the island can remain in its present situation. It may be assumed as certain that the war will be continued by Spain for an indefinite period. Half a century may very probably elapse before she recognizes the independence of the colonies. On the other hand, it is quite evident, and such is the opinion of the Government as expressed in my instructions, that as long as the war is kept up, the situation of the island is in the highest degree precarious, that it is liable to be changed every year, every month even, and that it cannot remain as it is more than two or three years. The white inhabitants form too small a proportion of the whole number to constitute of themselves an independent State. The island, therefore, must assume, whenever it changes its present condition, one of two others. It must either fall into the hands of some power different from Spain, as probably Mexico or Colombia, or it must become an independent principality of blacks. Neither part of this alternative can be considered as admissible, and a view of our present relations with the island presents, therefore, the following results:

1st. The situation of the island must inevitably be changed within 2 or 3 years, and may be changed at any moment.

2d. No change can possibly occur without the intervention of the United States which they could regard as admissible.

From these premises, it seems to follow, as a necessary conclusion, that it is the policy and duty of the United States to endeavor to obtain possession of the island immediately in a peaceable way. If they do not succeed in this, it is morally certain that they will be forced, at no very distant period, to effect the same object in a more invidious manner, and at the risk of embroiling themselves with some of the great powers of Europe. The principal question, therefore, is, whether any consideration could be presented to the Spanish Ministry of a nature to induce them to cede the island. If this were possible, it would appear to be the policy of the United States to commence the negotiation without delay. Viewing the subject in this light, and recollecting at the same time the great financial embarrassments under which this Government is now laboring, it has occurred to me that the offer of a considerable loan, on condition of a temporary cession of the island in deposit as security for the payment of it, would be as likely to succeed as any

proposition that could be made upon the subject. The interest might be made payable out of the revenues of the island, which are said to amount to between four and five millions of dollars, and if the money were not paid within a pretty long limited time, complete sovereignty might vest in the United States. Considering the character of the Spanish Government, and their general system of administration, a cession of this kind, accompanied with an immediate delivery of possession, would be equivalent, as respects us, to a direct cession of the whole sovereignty. In the view of the Spanish Government, it might perhaps wear a more agreeable aspect. It would present to them the two following great advantages:

1st. The obtaining of a loan sufficient to meet their immediate wants on good terms, — a thing which seems to be absolutely indispensable, which there is apparently no possibility of effecting in any other way, on any terms, and which, if in reality effected in any other way, must be a transaction, prudentially considered, of the most desperate character. This advantage is by no means a light one, since it seems impossible even to imagine how this Government can get along six months without new resources.

2d. The second advantage would be the assurance of retaining the island in the event of repaying the loan. Whatever confidence this Government may affect in the results of their colonial system, it is impossible that they should not be aware to a certain extent of the great danger to which they are exposed of losing the islands. They may not be so fully satisfied, as most foreigners probably are, of the moral impossibility that they would be able to pay down 15 or 20 millions of dollars twenty years hence, and might, therefore, regard a transaction of this kind as considerably increasing their assurance of a continued possession of Cuba. Such, in fact, would be the probable effect of it, if we suppose the Spanish Government, notwithstanding their affected determination *never* to surrender their rights, to intend, nevertheless, in secret to recognize the colonies after a few years, should things go on in their present course. Supposing this to be their policy, they would obtain, by ceding the island to us in the way I have suggested, a complete assurance of the continued possession of it from the moment when the delivery to the United States was effected. This temporary transfer would secure it from the danger of attack or internal convulsion while it lasted, and upon the recognition of the colonies, Spain would without difficulty obtain from them a much larger indemnity in money than

would be necessary to ransom the island. It is not, however, probable that Spain now intends to recognize the colonies at no very distant period, and I have already assumed that she does not. These considerations might, nevertheless, be presented to her, and, being extremely obvious and cogent, might perhaps make an impression.

But, supposing this Government, as I do, to be completely resolved upon adhering to their system, and yet aware of the danger of losing the island, and of the impossibility of ever repaying a loan of the kind mentioned without recognizing the colonies, they might yet think it better to get 20 millions for the island than to lose it for nothing.

Such are the advantages of the transaction as respects Spain. As respects the United States, it holds out the two following, which are so obvious that I need not enlarge upon them :

1st. Complete security from the danger of any change in the position of the island in consequence of the present troubles.

2d. The probability of an eventual acquisition of the entire sovereignty.

It may perhaps be thought that some of the great foreign powers, particularly England or France, would take umbrage at the acquisition by us of the sovereignty of Cuba; that the probability of this ought to prevent us from taking any measure to obtain it, and that it would, at any rate, hinder Spain from ceding it to us directly or indirectly.

The weight of this objection, you are, of course, better able to appreciate than I am. It does not strike me that the foreign powers ought to feel, or would, in fact, feel, the same repugnance to our occupying Cuba as we should to their doing it; and if we consider the acquisition of the island by a peaceable transaction as the only means of avoiding the necessity of taking possession, of it sooner or later by force, — which is the view I have taken of the subject, — it is evident that the repugnance of the foreign powers, whatever it may be, is no real objection, because it must in the end be met. They would probably be much more dissatisfied to see us occupy the island by force than to see us acquire it by purchase.

These considerations appear to me to recommend very powerfully the policy of endeavoring to acquire the island of Cuba in a peaceable way, and the manner I have indicated seems the one which would be the most likely to succeed. I should not, of course, think of making any formal proposition on the subject without receiving your instructions; and should the suggestions I have now made appear to be of a nature to be acted on seriously, you will have the goodness to favor me with your

orders, either through the Department of State, or in a private letter, as you may think most expedient. I have thought, however, that there would be no impropriety in sounding the intentions of the Government beforehand in an informal way, and I accordingly took an opportunity of doing it in one of the conversations I had with Mr. Zea. . . .

Cuba without War, in *Scribner's Monthly*, April, 1876 (New York), XI, 877–879.

150. Objections to the Panama Congress (1826)

BY SENATOR NATHANIEL MACON

Macon, chairman of the committee on the Panama Congress, was a senator from North Carolina. He was a member of the House of Representatives from 1791 to 1815, and during four years of the period he was speaker. In 1815 he became senator and served two terms. He was very conservative, suspicious of all innovations, and as a slaveholder was desirous of no close connection with the non-slaveholding republics of South and Central America. He was especially severe against the negro republic of Hayti. This extract is from his report to the Senate, January 16, 1826. — Bibliography: Winsor, *Narrative and Critical History*, VII, 524; Channing and Hart, *Guide*, § 179.

THE Minister of Colombia states, as another subject of discussion at the contemplated Congress, "on what basis the relations of Hayti, and of other parts of our hemisphere, that shall hereafter be in like circumstances, are to be placed." To this matter, also, the President makes no allusion in his message. And, surely, if there is any subject within the whole circle of political relations, as to which it is the interest and the duty of all States to keep themselves perfectly free and unshackled by any previous stipulation, it is that which regards their future connexions with any other people, not parties to such an agreement. Of the propriety or impropriety of such connexions, each must ever be permitted to judge freely for itself, because the benefit or disadvantage to result from them, must be peculiar, and very different to each; and that relation which is highly desirable at one time, may become hurtful at another. In the opinion of this Committee, therefore, the United States should never permit themselves to enter into discussion with any foreign State whatever, as to the relations they should be obliged to establish with any other people, not parties to such discussions. And the objections to such a course become infinitely stronger, when the discussions are intended to refer, not only to those who then

exist, but also to others who may hereafter be considered as placed "in like circumstances." . . .

The Committee have thus exhibited to the Senate, in detail, all the subjects which they have been enabled to find particularly stated, either by the President in his first message, or by any of the Ministers of the new States of America, as matters intended to be discussed at the contemplated Congress. In reviewing these, they will repeat, that a concurrence of opinion does not seem to exist between the different parties, as to the subjects of deliberation; nor has the mode of discussion or decision been in any way settled between them. In relation to some of the subjects alluded to, as fit matters for consideration, differences of opinion, radical and irreconcileable, seem already to exist, which discussion may aggravate, but cannot assuage. As to others, their very agitation in this mode, threatens seriously the compromitment of the neutral relations which the United States are now maintaining, and have so carefully observed throughout this whole contest. Others, again, are unfit subjects for deliberation in this mode at all times; and any agreement resulting from their discussion, must impair that freedom of action which it is so necessary for the United States to preserve as to these; and, as to the residue, they are either not of sufficient importance to require the adoption of this new and untried experiment of a Congress of Nations, or may be much better adjusted and settled in separate negotiations with each, than in a general conference with all. For these reasons, if there were none other, this Committee should regard the adoption of the measure proposed by the President, as highly inexpedient at this time.

Although, in the message of the President, of the 9th instant, no new subject of deliberation at the contemplated Congress is specially stated, yet, from the documents accompanying that message, and therein referred to, as containing information, tending to show the expediency of adopting the proposed measure, it appears to this Committee, that the present and future condition of the remaining Spanish possessions in America, are considered as proper matters to be there agitated and settled. . . .

The Committee are well aware, that the United States can never regard with indifference the situation and probable destiny of the neighboring Spanish islands of Cuba and Puerto Rico: but, so far from believing it expedient to discuss these subjects at a Congress of all the American States, and especially at this time, the Committee consider

the great probability that such a discussion might be *forced* upon the United States, if they are there represented, as a circumstance furnishing in itself the strongest objections to the adoption of the measure proposed. . . .

Should the situation or policy of the United States induce them to look with indifference upon the new direction that the existing war may take, and to abstain from all interference in it, even though the neighboring islands of Cuba and Puerto Rico may be threatened or assailed, then the very annunciation of such a purpose must contribute much to accelerate an event that cannot be desired by us. In whatever light, therefore, this subject is viewed, it does not seem to be one which the United States should discuss with the other American States assembled at a Congress. The inexpediency of pursuing [such] a course appeared more obvious to this Committee, when they considered, that many of the nations of Europe must also feel, that their interests were materially involved in its decision; and that they would not abstain from making some movement in relation to it, which must greatly embarrass any course that the United States may wish hereafter to pursue.

. . . Then, the powers of Europe, who have hitherto confided in the sagacity, vigilance, and impartiality of the United States, to watch, detect, announce, and restrain any disposition that the heat of the existing contest might excite in the new States of America, to extend their empires beyond their own limits, and who have therefore considered their possessions and commerce in America safe, while so guarded, would no longer feel this confidence. Each would therefore endeavor to secure its own interests, by its own means; and the power of Spain not being considered by any as equal to the protection of her remaining American possessions, a struggle would probably commence, who should first obtain the islands of Cuba and Puerto Rico, the possession of which must ever be of the last importance to the commerce of this hemisphere. . . .

The very situation of Cuba and Puerto Rico, therefore, furnishes the strongest inducement to the United States not to take a place at the contemplated Congress, since, by so doing, they must be considered as changing the attitude in which they hitherto have stood, as impartial spectators of the passing scenes, and identifying themselves with the new Republics.

Journal of the Executive Proceedings of the Senate (Washington, 1828), III, 480–486 *passim*.

PART VIII

SOCIAL AND POLITICAL READJUSTMENT

CHAPTER XXIII — THE PEOPLE IN 1830

151. Old-Fashioned Preaching (1816)

BY JOSIAH QUINCY (1882)

Quincy was the eldest son of the statesman of the same name (see No. 123 above). His *Figures of the Past*, from which this extract is taken, is an interesting and valuable commentary on distinguished persons and events during the first half of the nineteenth century. — Bibliography: Channing and Hart, *Guide*, § 180.

WE had come to Andover to get religion, and the pursuit of this object was seldom interfered with by such episodes as the one just related. During the first years of my stay we were taken to worship in the church of the town, which was supported by a tax laid upon all citizens. What the winter services were in that old meeting-house no description can reproduce. The building was in decay, and the windows rattled with every blast. There was no pretence of stove or furnace, and the waters of life, which were dispensed from the pulpit, froze to solid ice before they reached us. There were, to be sure, a few pans of ignited charcoal, which the sexton carried to certain old ladies of great respectability, and which were supposed to impart some warmth to their venerable feet. But this luxury was never provided for the voting sex; and boys, as a matter of course, received their ghostly instruction with the chill on. We muffled ourselves up in comforters, as if to go a sleigh ride, and shivered through the long services, warmed only by such flickering flames of devotion as they were calculated to kindle. The vivid descriptions of those sultry regions to which the vast majority of the human race were hastening lost something of the terror they were meant to excite. If we could only approach the

quarters of the condemned near enough to get thoroughly warmed through, the broad road that led to them might gain an additional attraction. The boys were required to remember the text, as well as the heads of the discourse, and were duly examined thereupon the next day. My own memory was good, — so good, indeed, that some of those sermons stick there yet. And they were not difficult to remember either; for, give the preacher his premises, and let him start his machine of formal logic, and the conclusions ground themselves out with unerring certainty. An exception to this rule was found in the doctrine of election as not inconsistent with individual freedom. This was a craggy theme with which the Andover divines were accustomed to grapple with great spirit. They certainly showed, or appeared to show, that we were perfectly free to choose a destiny which, nevertheless, had been absolutely decreed beforehand; but the reasoning which dissolved this formidable paradox was altogether too subtle for the youthful brain to follow.

A report of an occasional sermon may give some idea of the gallant style in which the Andover ministers faced sin — or what seemed to them sin — under difficulties. It happened that a proposition to teach dancing in the town had been made by some rash professor of that accomplishment. Under this visitation there was clearly but one subject for the next Sunday's discourse. The good minister rose in the pulpit fully armed for the encounter; but he was not the man to take unfair advantages. The adversary should be allowed every point which seemed to make in his favor. In pursuance of this generous design, a text was given out which certainly did seem a little awkward in view of the deductions which must be drawn from it. It was taken from the Book of Ecclesiastes, and was announced with unflinching emphasis, "There is a time to dance." The preacher began by boldly facing the performance of King David,

> "When before the Ark
> His grand *pas seul* excited some remark!"

But, notwithstanding the record, we were assured that David did not dance. A reference to the original Hebrew made it plain that "he took no steps." All he did was to jump up and down in a very innocent manner, and it was evident that this required no professional instruction. And now, having disposed of the example of the father, the way was clear to take up the assertion of Solomon that there was a time to dance.

Were this the case, it were pertinent to consider what that time might be. Could a man find time to dance before he was converted? To ask such a question as that was to answer it. The terrible risks to which the unregenerate were exposed, and the necessity that was upon them to take summary measures for their avoidance, clearly left no time for dancing. And how was it with a man while he was being converted? Overwhelmed with the sense of sin, and diligently seeking the remedy, it was simply preposterous to imagine that *he* could find time for dancing. And how was it with the saints who had been converted? Surely such time as they had must be spent in religious exercises for the conversion of others; obviously *they* had no time to dance. And so the whole of human life had been covered, and the conclusion was driven home with resistless force. What time for dancing Solomon might have had in mind it was unnecessary to inquire, for it was simply demonstrable that he could not have referred to any moment of the time allotted to man on this earth. After this discourse it is needless to say that no dancing-master showed his face in Andover during my acquaintance with the town.

But if it shall happen that I speak freely of forms which have no longer the spiritual meaning that once filled them, I must also emphasize the fact that a stern pressure towards morality was characteristic of the school. Emulation was abandoned because it appealed to lower motives than Christians should entertain, and the phrase "unhallowed ambition" was applied to the pursuit of excellence for any selfish end. A society for the cultivation of the moral virtues, composed of candidates for the Divinity Department and some of the smaller boys, existed in the school, and a pledge to abstain from intoxicating liquors was exacted from its members.

During the six years I spent in Andover there were several revivals of religion. The master believed in their utility and did everything in his power to encourage them. We had prayer-meetings before school, after school, and in recess, and a strong influence was exerted to make us attend them. I am tempted to give a little circumstance in this connection because it shows the absolute sincerity with which our teachers held their religious views. One summer's day, after a session of four hours, the master dismissed the school in the usual form. No sooner had he done so than he added, "There will now be a prayer-meeting: those who wish to lie down in everlasting burning may go; the rest will stay." It is probable that a good many boys wanted to get

out of doors. Two of them only had the audacity to rise and leave the room. One of those youngsters has since been known as an eminent Doctor of Divinity; the other was he who now relates the incident. But no sooner was the prayer-meeting over than Mr. ADAMS sought me out, asked pardon for the dreadful alternative he had presented, and burst into a flood of tears. He said with deep emotion that he feared that I had committed the unpardonable sin and that he had been the cause. His sincerity and faith were most touching; and his manliness in confessing his error and asking pardon from his pupil makes the record of the occurrence an honor to his memory.

Josiah Quincy, *Figures of the Past from the Leaves of Old Journals* (Boston, 1883), 6–11.

152. "Who Reads an American Book?" (1820)

BY REVEREND SYDNEY SMITH

Smith was one of the founders of the *Edinburgh Review*, and his brilliant articles in that periodical aided greatly in establishing its success. His keen pen and love of raillery found a good subject in the lack of culture in the United States; and such was the reputation of the writer and of the magazine in which his articles appeared that his criticisms touched the pride of Americans more than did any other of the many reviews written in the same vein. Abuse of America was fashionable in Great Britain at that time. — For Smith, see Stuart J. Reid, *Life and Times of Sydney Smith*. — Bibliography: McMaster, *History of the United States*, V, ch. xlviii; Channing and Hart, *Guide*, § 180.

SUCH is the land of Jonathan — and thus has it been governed. In his honest endeavours to better his situation, and in his manly purpose of resisting injury and insult, we most cordially sympathize. We hope he will always continue to watch and suspect his Government as he now does — remembering, that it is the constant tendency of those entrusted with power, to conceive that they enjoy it by their own merits, and for their own use, and not by delegation, and for the benefit of others. Thus far we are the friends and admirers of Jonathan: But he must not grow vain and ambitious; or allow himself to be dazzled by that galaxy of epithets by which his orators and newspaper scribblers endeavour to persuade their supporters that they are the greatest, the most refined, the most enlightened, and the most moral people upon earth. The effect of this is unspeakably ludicrous on this side of the Atlantic — and, even on the other, we should imagine, must be rather

humiliating to the reasonable part of the population. The Americans are a brave, industrious, and acute people; but they have hitherto given no indications of genius, and made no approaches to the heroic, either in their morality or character. They are but a recent offset indeed from England; and should make it their chief boast, for many generations to come, that they are sprung from the same race with Bacon and Shakespeare and Newton. Considering their numbers, indeed, and the favourable circumstances in which they have been placed, they have yet done marvellously little to assert the honour of such a descent, or to show that their English blood has been exalted or refined by their republican training and institutions. Their Franklins and Washingtons, and all the other sages and heroes of their revolution, were born and bred subjects of the King of England, — and not among the freest or most valued of his subjects: And, since the period of their separation, a far greater proportion of their statesmen and artists and political writers have been foreigners, than ever occurred before in the history of any civilized and educated people. During the thirty or forty years of their independence, they have done absolutely nothing for the Sciences, for the Arts, for Literature, or even for the statesman-like studies of Politics or Political Economy. Confining ourselves to our own country, and to the period that has elapsed since *they* had an independent existence, we would ask, Where are their Foxes, their Burkes, their Sheridans, their Windhams, their Horners, their Wilberforces? — where their Arkwrights, their Watts, their Davys? — their Robertsons, Blairs, Smiths, Stewarts, Paleys and Malthuses? — their Porsons, Parrs, Burneys, or Blomfields? — their Scotts, Campbells, Byrons, Moores, or Crabbes? — their Siddonses, Kembles, Keans, or O'Neils? — their Wilkies, Laurences, Chantrys? — or their parallels to the hundred other names that have spread themselves over the world from our little island in the course of the last thirty years, and blest or delighted mankind by their works, inventions, or examples? In so far as we know, there is no such parallel to be produced from the whole annals of this self-adulating race. In the four quarters of the globe, who reads an American book? or goes to an American play? or looks at an American picture or statue? What does the world yet owe to American physicians or surgeons? What new substances have their chemists discovered? or what old ones have they analyzed? What new constellations have been discovered by the telescopes of Americans? — what have they done in the mathematics? Who drinks out of American glasses? or eats from American plates? or wears

American coats or gowns? or sleeps in American blankets? — Finally, under which of the old tyrannical governments of Europe is every sixth man a Slave, whom his fellow-creatures may buy and sell and torture?

When these questions are fairly and favourably answered, their laudatory epithets may be allowed: But, till that can be done, we would seriously advise them to keep clear of superlatives.

Edinburgh Review, January, 1820 (Boston), XXXIII, 78–80.

153. "Fashionable Education" (1821)

BY REVEREND TIMOTHY DWIGHT

Besides being famous as an educator, Dwight is known as a keen-sighted traveller. His *Travels in New-England and New-York*, from which this extract is taken, is considered the most important of his published works. — For Dwight, see No. 61 above. — Bibliography as in No. 151 above.

IN a former letter I mentioned the attention, generally given to education by the inhabitants of Boston. I will now communicate to you some observations concerning a mode of education adopted to some extent, as I believe, both here and in many other places; particularly those which are wealthy and populous. In almost all instances, where it is pursued at all, it is chiefly confined to people of fashion.

The end, proposed by the parents, is to make their children objects of admiration. The means, though not sanctioned are certainly characterized, by the end. That I have not mistaken the end may be easily proved by a single resort to almost any genteel company. To such company the children of the family are regularly introduced: and the praise of the guests is administered to them as regularly, as the dinner or the tea, is served up. Commendation is rung through all its changes: and you may hear, both in concert and succession, "beautiful children;" "fine children;" "sweet children;" "lovely children;" "what a charming family!" "what a delightful family!" "you are a fine little fellow;" "you are a sweet little girl:" "My son, can't you speak one of your pieces before this good company?" "Caroline, where is your work?" "Susan, bring Miss Caroline's work, and show it to that lady:" "Susan, bring with you the picture, which she finished last week:" with many other things of a similar nature. Were you to pass a twelve month in this country, and to believe all that you heard said by people,

not destitute of respectability; whatever opinion you might form of the parents, you would suppose, that the children were a superiour race of beings, both in person and mind; and that beauty, genius, grace, and loveliness, had descended to this world in form, and determined to make these States their future residence.

The means of effectuating this darling object are the communication of what are called accomplishments. The children are solicitously taught music, dancing, embroidery, ease, confidence, graceful manners, &c. &c. To these may be added what is called reading, and travelling. . . .

The thoughts of a Boy, thus educated, are spent upon the colour, quality, and fashion, of his clothes, and upon the several fashions to which his dress is to be successively conformed; upon his bow, his walk, his mode of dancing, his behaviour in company, and his nice observance of the established rules of good breeding. To mingle without awkwardness or confusion in that empty, unmeaning chat, those mere vibrations of the tongue, termed fashionable conversation, is the ultimate aim of his eloquence; and to comprehend, and to discuss, without impropriety the passing topics of the day, the chief object of his mental exertions. When he reads, he reads, only to appear with advantage in such conversation. When he acts, he acts, only to be admired by those who look on. Novels, plays, and other trifles of a similar nature, are the customary subjects of his investigation. Voyages, travels, biography, and sometimes history, limit his severe researches. By such a mind thinking will be loathed, and study regarded with terrour. In the pursuits, to which it is devoted, there is nothing to call forth, to try, or to increase, its strength. Its powers, instead of being raised to new degrees of energy, are never exercised to the extent, in which they already exist. His present capacity cannot be known for want of trial. What that capacity might become cannot be even conjectured. Destitute of that habit of labouring, which alone can render labour pleasing, or even supportable, he dreads exertion as a calamity. The sight of a Classic author gives him a chill: a lesson in Locke, or Euclid, a mental ague. . . .

On girls, this unfortunate system induces additional evils. Miss, the darling of her father and the pride of her mother, is taught from the beginning to regard her dress as a momentous concern. She is instructed in embroidery merely that she may finish a piece of work, which from time to time is to be brought out, to be seen, admired, and

praised, by visitors; or framed, and hung up in the room, to be still more frequently seen, admired and praised. She is taught music, only that she may perform a few times, to excite the same admiration, and applause, for her skill on the forte piano. She is taught to draw, merely to finish a picture, which, when richly framed, and ornamented, is hung up, to become an altar for the same incense. Do not misunderstand me. I have no quarrel with these accomplishments. So far as they contribute to make the subject of them more amiable, useful, or happy, I admit their value. It is the *employment* of them, which I censure; the sacrifice, made by the parent of his property, and his child at the shrine of vanity.

The Reading of girls is regularly lighter than that of boys. When the standard of reading for boys is set too low, that for girls will be proportionally lowered. Where boys investigate books of sound philosophy, and labour in mathematical and logical pursuits; girls read history, the higher poetry, and judicious discourses in morality, and religion. When the utmost labour of boys is bounded by history, biography, and the pamphlets of the day: girls sink down to songs, novels, and plays.

Of this reading what, let me ask, are the consequences? By the first novel which she reads, she is introduced into a world, literally new; a middle region between "this spot which men call earth," and that which is formed in Arabian tales. Instead of houses, inhabited by mere men, women and children, she is presented with a succession of splendid palaces, and gloomy castles inhabited by tenants, half human and half angelic, or haunted by downright fiends. Every thing in the character and circumstances, of these beings comes at the wish, or the call of the enchanter. Whatever can supply their wants, suit their wishes, or forward, or frustrate, their designs, is regularly at hand. The heroes are as handsome, as dignified, as brave, as generous, as affectionate, as faithful, and as accomplished, as he supposes will satisfy the demands of his readers. At the same time, they have always a quantum sufficit of money: or, if not, some Relation, dies at the proper time, and leaves them an ample supply. Every heroine is, also a compound of all that is graceful and lovely. Her person is fashioned "by the hand of harmony." Her complexion outvies the snow, and shames the rose. Her features are such, as Milton's Eve might envy: and her mind is of the same class with those refined beings, to whom this great poet in his list of the celestial Orders gives the elegant name of Virtues. With these delightful inhabitants of Utopia are contrasted iron-handed misers,

profligate guardians, traitorous servants, and hags, not excelled by those of Lapland itself. It ought not be omitted, that in this sequestered region the fields, and gardens, are all second-hand copies of paradise. On them whenever it is conveneint, the morning beams with every tint of elegance, and every ray of glory: and, when Aurora has no further use for these fine things, her sister Evening, puts them on herself, and appears scarcely less splendid, or less delightful.

With this ideal world the unfortunate girl corresponds so much, and so long, that she ultimately considers it as her own proper residence. With its inhabitants she converses so frequently, and so habitually, that they become almost her only familiar acquaintance. . . .

With these views, how disappointed must she be by the rugged course of nature? How untoward must be the progress of facts? How coarsely must the voice of truth grate upon her ear? How disgusted must she be to find herself surrounded not by trusty Johns, and faithful Chloes, but by ordinary domestics, chilling her, with rusticity, provoking her by their negligence, insulting her with their impudence, and leaving her service without even giving her warning. Must she not feel, that it is a kind of impertinence in the days to be cloudy, and wet; in the nights to be dark and chilly; in the streets to encumber her with mud, or choke her with dust; and in the prospects, to present nothing but the mere vulgar scenes of this vulgar world.

. . . In a word, the world will become to her a solitude; and its inhabitants, strangers; because her taste for living has become too refined, too dainty, to relish any thing, found in real life.

If she is at all pleasing, and amiable, she will be addressed. But by whom? Not by a Corydon, a Strephon, or even a Grandison. At the best, her suitor will be a being formed of flesh and blood; who intends to live by business, and to acquire reputation by diligence, integrity, and good sense. He is in pursuit of a wife; and, therefore, can hardly wish for an angel. It will be difficult for him to believe, that a being so exalted would assume the marriage vow; do the honours of his table; direct the business of his family; or preside over the education of his children. He has hitherto spent his life, perhaps, in acting vigorously in the counting-room, contending strenuously at the bar, or pursuing with diligence some other business merely human. How can such a being frame his mouth to lisp the pretty things, which alone can be in unison with so delicate an ear? Figure to yourself the disgust, the pain, the surprise, of this silken existence even at the most refined

language of honesty, and at the most honourable sentiments of affection, obtruded on her by such a suitor. . . .

I know, that this education is expressly attempted with a view to superiour refinement: but it is not a refinement of the taste, the understanding, or the heart. It is merely a refinement of the imagination; of an imagination, already soft, and sickly; of a sensibility, already excessive; of a relish, already fastidious. To a genuine perfection of taste it bears no more resemblance, than the delicate white of decay to the native fairness of complexion; or than the blush of a hectic to the bloom of health.

It is not here intended, that this mode of education prevails more in Boston, than in other populous places on this continent. Perhaps it prevails less. That it actually exists in such places, that it is fashionable, and that this town has a share in the evil, will not, I believe, be questioned. . . .

Timothy Dwight, *Travels; in New-England and New-York* (New Haven, 1821), I, 512-519 *passim*.

154. "New-England" (1822)

BY JAMES GATES PERCIVAL

Percival was educated as a physician, but he was an eminent scholar in many departments, especially in natural science. His poetry is noted for its spontaneity. — For Percival, see Julius H. Ward, *Life and Letters of James Gates Percival.* — Bibliography as in No. 151 above.

HAIL to the land whereon we tread,
Our fondest boast;
The sepulchre of mighty dead,
The truest hearts that ever bled,
Who sleep on glory's brightest bed,
A fearless host:
No slave is here — our unchain'd feet
Walk freely, as the waves that beat
Our coast.

Our fathers cross'd the ocean's wave
To seek this shore;
They left behind the coward slave
To welter in his living grave;

With hearts unbent, high, steady, brave,
They sternly bore
Such toils, as meaner souls had quell'd;
But souls like these, such toils impell'd
To soar.

Hail to the morn, when first they stood
On Bunker's height;
And fearless stemm'd the invading flood,
And wrote our dearest rights in blood,
And mow'd in ranks the hireling brood,
In desperate fight:
O! 'twas a proud, exulting day,
For ev'n our fallen fortunes lay
In light.

There is no other land like thee,
No dearer shore;
Thou art the shelter of the free;
The home, the port of liberty
Thou hast been, and shalt ever be,
Till time is o'er.
Ere I forget to think upon
My land, shall mother curse the son
She bore.

Thou art the firm, unshaken rock,
On which we rest;
And rising from thy hardy stock,
Thy sons the tyrant's frown shall mock,
And slavery's galling chains unlock,
And free the oppress'd:
All, who the wreath of freedom twine,
Beneath the shadow of their vine
Are blest.

We love thy rude and rocky shore,
And here we stand —
Let foreign navies hasten o'er,
And on our heads their fury pour,

And peal their cannon's loudest roar,
And storm our land:
They still shall find, our lives are giv'n
To die for home; — and leant on heav'n
Our hand.

James G. Percival, *Clio* (Charleston, 1822), No. I, 26–28.

155. "Domestic Manners of the Americans" (1828)

BY MRS. FRANCES MILTON TROLLOPE (1831)

Mrs. Trollope, the English novelist, having failed in an attempt to establish herself in business in Cincinnati, salved her disappointment by writing a book on American manners. In this she laid unjust emphasis upon the rude and grotesque features of American society, especially of that in the West, leaving the impression that these characteristics were typical of the whole country. The work provoked much indignant criticism. — Bibliography as in No. 151 above.

WE reached Cincinnati on the 10th of February [1828]. It is finely situated on the south side of a hill that rises gently from the water's edge; yet it is by no means a city of striking appearance; it wants domes, towers, and steeples; but its landing-place is noble, extending for more than a quarter of a mile; it is well paved, and surrounded by neat, though not handsome buildings. I have seen fifteen steam-boats lying there at once, and still half the wharf was unoccupied. . . .

We had the good fortune . . . to find a dwelling before long, and we returned to our hotel, having determined upon taking possession of it as soon as it could be got ready. Not wishing to take our evening meal either with the three score and ten gentlemen of the dining-room, nor yet with the half dozen ladies of the bar-room, I ordered tea in my own chamber. A good-humoured Irish woman came forward with a sort of patronising manner, took my hand, and said, "Och, my honey, ye'll be from the old country. I'll see you will have your tay all to yourselves, honey." With this assurance we retired to my room, which was a handsome one as to its size and bed-furniture, but it had no carpet, and was darkened by blinds of paper, such as rooms are hung with, which required to be rolled up, and then fastened with strings very awkwardly attached to the window-frames, whenever light or air were wished for.

I afterwards met with these same uncomfortable blinds in every part of America.

Our Irish friend soon reappeared, and brought us tea, together with the never-failing accompaniments of American tea-drinking, hung beef, "chipped up" raw, and sundry sweetmeats of brown sugar hue and flavour. We took our tea, and were enjoying our family talk, relative to our future arrangements, when a loud sharp knocking was heard at our door. My "come in," was answered by the appearance of a portly personage, who proclaimed himself our landlord.

"Are any of you ill?" he began.

"No, thank you, sir; we are all quite well," was my reply.

"Then, madam, I must tell you, that I cannot accommodate you on these terms; we have no family tea-drinkings here, and you must live either with me or my wife, or not at all in my house."

This was said with an air of authority that almost precluded reply, but I ventured a sort of apologistic hint, that we were strangers, and unaccustomed to the manners of the country.

"Our manners are very good manners, and we don't wish any changes from England." . . .

We were soon settled in our new dwelling, which looked neat and comfortable enough, but we speedily found that it was devoid of nearly all the accommodation that Europeans conceive necessary to decency and comfort. No pump, no cistern, no drain of any kind, no dustman's cart, or any other visible means of getting rid of the rubbish, which vanishes with such celerity in London, that one has no time to think of its existence; but which accumulated so rapidly at Cincinnati, that I sent for my landlord to know in what manner refuse of all kinds was to be disposed of.

"Your Help will just have to fix [fire?] them all into the middle of the street, but you must mind, old woman, that it is the middle. I expect you don't know as we have got a law what forbids throwing such things at the sides of the streets; they must just all be cast right into the middle, and the pigs soon takes them off."

In truth the pigs are constantly seen doing Herculean service in this way through every quarter of the city; and though it is not very agreeable to live surrounded by herds of these unsavoury animals, it is well they are so numerous, and so active in their capacity of scavengers, for without them the streets would soon be choked up with all sorts of substances, in every stage of decomposition. . . .

The "simple" manner of living in Western America was more distasteful to me from its levelling effects on the manners of the people, than from the personal privations that it rendered necessary; and yet, till I was without them, I was in no degree aware of the many pleasurable sensations derived from the little elegancies and refinements enjoyed by the middle classes in Europe. There were many circumstances, too trifling even for my gossiping pages, which pressed themselves daily and hourly upon us, and which forced us to remember painfully that we were not at home. It requires an abler pen than mine to trace the connexion which I am persuaded exists between these deficiencies and the minds and manners of the people. All animal wants are supplied profusely at Cincinnati, and at a very easy rate; but, alas! these go but a little way in the history of a day's enjoyment. The total and universal want of manners, both in males and females, is so remarkable, that I was constantly endeavouring to account for it. It certainly does not proceed from want of intellect. I have listened to much dull and heavy conversation in America, but rarely to any that I could strictly call silly (if I except the every where privileged class of very young ladies). They appear to me to have clear heads and active intellects; are more ignorant on subjects that are only of conventional value, than on such as are of intrinsic importance; but there is no charm, no grace in their conversation. I very seldom, during my whole stay in the country, heard a sentence elegantly turned, and correctly pronounced from the lips of an American. There is always something either in the expression or the accent that jars the feelings and shocks the taste. . . .

Had I passed as many evenings in company in any other town that I ever visited as I did in Cincinnati, I should have been able to give some little account of the conversations I had listened to; but, upon reading over my notes, and then taxing my memory to the utmost to supply the deficiency, I can scarcely find a trace of any thing that deserves the name. Such as I have, shall be given in their place. But, whatever may be the talents of the persons who meet together in society, the very shape, form, and arrangement of the meeting is sufficient to paralyze conversation. The women invariably herd together at one part of the room, and the men at the other; but, in justice to Cincinnati, I must acknowledge that this arrangement is by no means peculiar to that city, or to the western side of the Alleghanies. Sometimes a small attempt at music produces a partial reunion; a few of the most daring youths, animated by the consciousness of curled hair and smart waistcoats, approach

the piano-forte, and begin to mutter a little to the half-grown pretty things, who are comparing with one another "how many quarters' music they have had." Where the mansion is of sufficient dignity to have two drawing-rooms, the piano, the little ladies, and the slender gentlemen are left to themselves, and on such occasions the sound of laughter is often heard to issue from among them. But the fate of the more dignified personages, who are left in the other room, is extremely dismal. The gentlemen spit, talk of elections and the price of produce, and spit again. The ladies look at each other's dresses till they know every pin by heart; talk of Parson Somebody's last sermon on the day of judgment, on Dr. T'otherbody's new pills for dyspepsia, till the "tea" is announced, when they all console themselves together for whatever they may have suffered in keeping awake, by taking more tea, coffee, hot cake and custard, hoe cake, johny cake, waffle cake, and dodger cake, pickled peaches, and preserved cucumbers, ham, turkey, hung beef, apple sauce, and pickled oysters, than ever were prepared in any other country of the known world. After this massive meal is over, they return to the drawing-room, and it always appeared to me that they remained together as long as they could bear it, and then they rise *en masse*, cloak, bonnet, shawl, and exit. . . .

The theatre was really not a bad one, though the very poor receipts rendered it impossible to keep it in high order; but an annoyance infinitely greater than decorations indifferently clean, was the style and manner of the audience. Men came into the lower tier of boxes without their coats; and I have seen shirt sleeves tucked up to the shoulder; the spitting was incessant, and the mixed smell of onions and whiskey was enough to make one feel even the Drakes' acting dearly bought by the obligation of enduring its accompaniments. The bearing and attitudes of the men are perfectly indescribable; the heels thrown higher than the head, the entire rear of the person presented to the audience, the whole length supported on the benches, are among the varieties that these exquisite posture-masters exhibit. The noises, too, were perpetual, and of the most unpleasant kind; the applause is expressed by cries and thumping with the feet, instead of clapping; and when a patriotic fit seized them, and "Yankee Doodle" was called for, every man seemed to think his reputation as a citizen depended on the noise he made.

Mrs. [Frances Milton] Trollope, *Domestic Manners of the Americans* (second edition, London, 1832), I, 48–188 *passim*.

156. "Amongst the Americans all Honest Callings are Honourable" (1840)

BY ALEXIS DE TOCQUEVILLE

(TRANSLATED BY HENRY REEVE)

Tocqueville's great work on American life and affairs as viewed by a foreigner has never been rivalled except by Bryce's *American Commonwealth*, a much more recent production. — For Tocqueville and his book, see *Edinburgh Review*, LXXII, 1–25; *North American Review*, XLIII, 178–206, and XCV, 138–163. — Bibliography as in No. 151 above.

AMONGST a democratic people, where there is no hereditary wealth, every man works to earn a living, or has worked, or is born of parents who have worked. The notion of labour is therefore presented to the mind on every side as the necessary, natural, and honest condition of human existence. Not only is labour not dishonourable amongst such a people, but it is held in honour: the prejudice is not against it, but in its favour. In the United States a wealthy man thinks that he owes it to public opinion to devote his leisure to some kind of industrial or commercial pursuit, or to public business. He would think himself in bad repute if he employed his life solely in living. It is for the purpose of escaping this obligation to work, that so many rich Americans come to Europe, where they find some scattered remains of aristocratic society, amongst which idleness is still held in honour.

Equality of conditions not only ennobles the notion of labour in men's estimation, but it raises the notion of labour as a source of profit. . . .

. . . No profession exists in which men do not work for money; and the remuneration which is common to them all gives them all an air of resemblance. This serves to explain the opinions which the Americans entertain with respect to different callings. In America no one is degraded because he works, for everyone about him works also; nor is anyone humiliated by the notion of receiving pay, for the President of the United States also works for pay. He is paid for commanding, other men for obeying orders. In the United States professions are more or less laborious, more or less profitable; but they are never either high or low: every honest calling is honourable. . . .

The United States of America have only been emancipated for half a century from the state of colonial dependence in which they stood to

Great Britain: the number of large fortunes there is small, and capital is still scarce. Yet no people in the world has made such rapid progress in trade and manufactures as the Americans: they constitute at the present day the second maritime nation in the world; and although their manufactures have to struggle with almost insurmountable natural impediments, they are not prevented from making great and daily advances. In the United States the greatest undertakings and speculations are executed without difficulty, because the whole population is engaged in productive industry, and because the poorest as well as the most opulent members of the commonwealth are ready to combine their efforts for these purposes. The consequence is, that a stranger is constantly amazed by the immense public works executed by a nation which contains, so to speak, no rich men. The Americans arrived but as yesterday on the territory which they inhabit, and they have already changed the whole order of nature for their own advantage. They have joined the Hudson to the Mississippi, and made the Atlantic Ocean communicate with the Gulf of Mexico, across a continent of more than five hundred leagues in extent which separates the two seas. The longest railroads which have been constructed up to the present time are in America. But what most astonishes me in the United States, is not so much the marvellous grandeur of some undertakings, as the innumerable multitude of small ones. Almost all the farmers of the United States combine some trade with agriculture; most of them make agriculture itself a trade. It seldom happens that an American farmer settles for good upon the land which he occupies: especially in the districts of the far West he brings land into tillage in order to sell it again, and not to farm it: he builds a farmhouse on the speculation that, as the state of the country will soon be changed by the increase of population, a good price will be gotten for it. Every year a swarm of the inhabitants of the North arrive in the Southern States, and settle in the parts where the cotton-plant and the sugar-cane grow. These men cultivate the soil in order to make it produce in a few years enough to enrich them; and they already look forward to the time when they may return home to enjoy the competency thus acquired. Thus the Americans carry their business-like qualities into agriculture; and their trading passions are displayed in that as in their other pursuits.

The Americans make immense progress in productive industry, because they all devote themselves to it at once; and for this same reason they are exposed to very unexpected and formidable embarrassments.

As they are all engaged in commerce, their commercial affairs are affected by such various and complex causes that it is impossible to foresee what difficulties may arise. As they are all more or less engaged in productive industry, at the least shock given to business all private fortunes are put in jeopardy at the same time, and the State is shaken. I believe that the return of these commercial panics is an endemic disease of the democratic nations of our age. It may be rendered less dangerous, but it cannot be cured; because it does not originate in accidental circumstances, but in the temperament of these nations.

Alexis de Tocqueville, *Democracy in America* ("new edition," London, 1875), II, 137–143 *passim.*

157. American Society (1844)

BY PROFESSOR FRIEDRICH VON RAUMER

(Translated by William W. Turner, 1845)

Raumer was a famous German historian who twice visited the United States. His account of America has been criticised as being the result of reading rather than of observation. — Bibliography as in No. 151 above.

IT is not only true that many of their customs and usages differ materially from those of Europeans, but they are naturally so diverse in separate parts of the great confederacy, that any general description or judgment must of necessity be erroneous. . . . On the other hand, these diversities are compensated by much that is homogeneous, all-pervading, and promotive of union; much that reconciles sectional peculiarities, moderates the opposition of religious sects, and brings nearer the gradations in the social scale. There is particularly in their public life and the universal love for the republican form of government, a strong bond of union in thought and action; so that neither what is peculiar nor what is general can exclusively prevail, while unity amidst variety is most happily preserved.

Equality and distinction, or the gradations of society in the United States, are very different from what they are in Europe. Now that *political* equality has been won and acknowledged for all, the *social* circles naturally separate from each other, and wealth and education exercise their inevitable influence. But it makes an immense difference whether this political equality *exists* or *is wanting;* whether it has a

soothing effect, or whether the social separations are accompanied by political prerogatives conferred on hereditary ranks, which are then regarded as doubly odious monopolies. . . .

As in steamboats, on railroads, in hotels and stage coaches, there exists no distinction or separation into classes, European travellers are brought into contact with all sorts of persons; and many of their habits appear strange and repulsive, such as spitting about, cocking their legs up on the chair-backs, tables, window-sills, &c. In polite society no one takes these unbecoming liberties, and no one would set up the principle, in opposition to Athens and Florence, that a true republican must not sacrifice to the graces. There is a certain refinement, elegance, and pleasing polish of manner, equally remote from coarseness and from the affected airs of a dancing master's saloon; this is found in the best society of America; and will continually have more to appreciate and practise it, without detriment to the graver virtues. Only a few, however, of the more highly cultivated, have a taste for humanity without gloss or meretricious ornament. Jefferson hit the true medium in this, as in many other things. He says: "With respect to what are termed polite manners, I would wish my countrymen to adopt just so much of European politeness, as to be ready to make all those little sacrifices of self, which really render European manners amiable, and relieve society from the disagreeable scenes to which rudeness often subjects it."

It was observed by an American lady, "Our best society is aristocratic in principle and feeling." True, and so it is every where; in all grades of society, every one strives to rise higher, and emulates those who are his superiors in education or position. Only in America this has nothing at all to do with the political system, and does not originate from it. There the *highest* and *lowest* grades of English society are wanting. The want of the former class may be esteemed a gain or a loss according to the point from which the subject is viewed; but the absence of the latter is certainly a gain. Because there is no court ton in America it does not follow that there is no good ton; and it is better that personal qualities should be allowed to manifest themselves, than that they should be ground down to a dead level by considerations of social diplomacy, so that all we come in contact with has neither character nor physiognomy of its own. From natural reasons already often mentioned, the lower classes of America, taken altogether, are more cultivated and more rational than in other countries. Even the backwoodsmen read the newspapers, and show considerable information on many subjects. We

may smile to see here a major of militia driving a stage-coach, and a colonel taking measure for a suit of clothes; but we ought to weep when we hear European village squires assert, that the right and ability to think and act for the whole community belong to them alone. . . .

Scarcely any reproach is more frequently uttered against the Americans, than that they are arrogant and irritable, and excessively fond of flattery. . . .

My own experience does not by any means confirm these accusations. I have often expressed myself freely, nay severely, concerning matters *of every description*, and have combated with earnestness the opinions of others, without ever being subjected to the slightest censure on *that* score. The worthy men who listened and replied to me, knew that my conduct was not the result of vanity or presumption, but that I was actuated by the wish to view matters on every side, and to obtain as much information as I could. Thus, when I spoke against slavery with the slaveholders, against immediate emancipation with the abolitionists, — in favor of democratic opinions with the whigs, and of whig principles with the democrats, — I drew forth such varied and instructive communications, as I should never have obtained, had I, like a mandarin on a mantelpiece, kept nodding a perpetual assent. The Americans would have far more reason to find fault with *my* behavior, than I (like the writers above quoted) to complain of *them*. It stands to reason also, that where unconditional freedom of speech and of the press exists, there cannot be such uneasiness, such aptness to take offence, and such a tyrannical demeanor, as in countries where civil and military officers, literati, &c. are wholly unaccustomed to blame, and are vulnerable at all points.

I must say too, that I have not found the Americans excessively curious, and disposed to annoy every stranger with questions. They seemed to me in this respect rather indifferent. It is certain that I asked a hundred times as many questions as have been put to me. The Americans, it is true, are often fond of praising themselves, and chiefly because there is much in their country worthy of praise; they also seek to ward off censure, as every patriot is wont to do with strangers, without seriously and absolutely denying the existence of faults. The people are certainly often flattered in the United States, as sovereigns are in Europe; since it every where requires courage to speak and hear the truth. But this praise is counterbalanced by such severe, eloquent, and bitter denunciation, as show that no stranger can judge more harshly of the

Americans than they do themselves; indeed, sometimes their moral sensibility and noble indignation — or else mere ill humor — urges them to melancholy and almost desponding complaints.

As a procession was once passing through the midst of a crowd, a gentleman called out, "Make way; we are the representatives of the people!" — "Make way yourself," was the reply. "We are the people themselves!" This anecdote throws a flood of light on regions where many cannot see their way. Hence a French observer remarks: "I prefer the involuntary rudeness of plebeians to the insolent politeness of courtiers." The travelling journalists and their readers usually persevere in observing things from the European point of view of persons of the *higher* ranks, instead of also looking at them with the eyes of the majority who are in an inferior condition. Hence, for instance, so many complaints of the presumption and the expensiveness of *servants* and *domestics* in America. The high wages, however, are very welcome to them, and are the natural consequence of the relation which the demand bears to the supply. Besides, every one prefers the condition of an independent freeholder, a citizen of the United States, to that of a domestic servant; a position which he only consents to assume on very advantageous terms, in order that he may the sooner escape from it. Hence too arises the beneficial result, that masters are often obliged to help themselves, and thus never fall into the foolish habit, as they do in Spain, of maintaining a pack of idlers in the quality of servants.

This bears a very close relation to general and most important facts and truths. In a country where wages are high, land cheap, and taxes low, and where there is no burdensome subjection to military service, the mass of the people *must* be well off. This *prosperity* produces *contentment*, which is of more value than the disposition to criticise and find fault. To this widely diffused prosperity the principles of an equal distribution of all heritable property essentially contribute. If they had retained or introduced unequal rights of inheritance, privileges of primogeniture, Fideicommissa, and the like, wealth would soon have been accumulated in the hands of a few, and a class of luxurious idlers established.

In America every one is made to know, that it is *labor* in some specific pursuit that alone gives life its value and importance. A Neapolitan admirer of the sweets of indolence may regard this sentiment as absurd; and another may express his fear that the mental powers will be stifled by a restless passion for gain. But the activity of the hands and the

complete accomplishment of the head stand in close connection; and the American constitution carries education beyond school-days, and makes higher claims on every individual than are made elsewhere. But, it has been a thousand times repeated, in this manner the Americans fall into downright selfishness; the acquisition of money is the sum and substance of their existence, and is esteemed beyond every thing else. One would imagine these fault-finders had a mortal antipathy to gold and silver! The American looks on money essentially as the means of further activity; he does not lock it up in coffers, or accumulate for the mere purpose of leaving it to a few lazy heirs; he is no miser that never makes use of his wealth, nor is he a spendthrift that squanders it away; but his endeavor is, to employ it in the truest advantage. Mistakes in this respect are only the exceptions, and do not form the rule, as with prodigals and misers. The Americans are reasonably disinclined to all useless expenses, which in Europe so often impoverish both individuals and states; yet on behalf of all great and peaceful enterprises, they show themselves rather too venturesome than too niggardly and circumspect.

Putting out of consideration those persons who do nothing at all, the American does not labor more than the European; in fact, the latter must undergo severer exertion, without attaining such satisfactory results. On this account labor and business are more attractive in America than in Europe . . .

Frederick Von Raumer, *America, and the American People* (New York, 1846), 491–496 *passim.*

CHAPTER XXIV — JACKSONIAN DEMOCRACY

158. The Office-Holder's Sword of Damocles (1829–1830)

BY COLONEL THOMAS LORRAINE M'KENNEY (1846)

M'Kenney was placed in charge of the bureau of Indian affairs when it was organized in 1824, and held the position until removed in the manner described in the extract. His knowledge of the Indians was great, his dealings with them satisfactory, and his administration of the bureau honest and able; hence his removal was based entirely on the doctrine of the spoils system. — Bibliography: Lucy M. Salmon, *Appointing Power of the President*, 54–66, 125–129 (American Historical Association, *Papers*, I, 344–356, 415–419); Channing and Hart, *Guide*, § 181.

SOME time after General Jackson had been inaugurated, the Secretary of War, Major Eaton, inquired of me, *if I had been to see the President?* I said I had not. Had you not better go over? Why, sir? I asked — I have had no official business to call me there, nor have I any now; why should I go? You know, in these times, replied the secretary, it is well to cultivate those personal relations, which will go far towards securing the good-will of one in power — and he wound up by more than intimating that the President had heard some things in disparagement of me, when I determined, forthwith, to go and see him, and ascertain what they were. On arriving at the door of the President's house, I was answered by the door-keeper, that the President was in, and having gone to report me, returned, saying the President would see me. On arriving at the door, it having been thrown open by the door-keeper, I saw the President very busily engaged writing, and with great earnestness; so much so, indeed, that I stood for some time, before he took his eyes off the paper, fearing to interrupt him, and not wishing to seem intrusive. Presently, he raised his eyes from the paper, and at the same time his spectacles from his nose, and looking at me, said — "Come in, sir, come in." You are engaged, sir? "No more so than I always am, and always expect to be" — drawing a long breath, and giving signs of great uneasiness.

I had just said, I am here, sir, at the instance of the Secretary of War,

when the door was thrown open, and three members of Congress entered. They were received with great courtesy. I rose, saying, you are engaged, sir, I will call when you are more at leisure; and bowed myself out. On returning to my office, I addressed a note to the President, of the following import:—"Colonel McKenney's respects to the President of the United States, and requests to be informed when it will suit his convenience to see him?" To which Major Donaldson replied, "The President will see Colonel McKenney to-day, at twelve o'clock." I was punctual, and found the President alone. I commenced, by repeating what I had said at my first visit, that I was there at the instance of the Secretary of War, who had more than intimated to me, that impressions of an unfavorable sort had been made upon him, in regard to me; and that I was desirous of knowing what the circumstances were, that had produced them. "It is true, sir," said the President, "I have been told things that are highly discreditable to you, and which have come to me from such sources, as to satisfy me of their truth." Very well, sir, will you do me the justice to let me know what these things are, that you have heard from such respectable sources? "You know, Colonel McKenney, I am a candid man—" I beg pardon, sir, I remarked, interrupting him, but I am not here to question that, but to hear charges which it appears have been made to you, affecting my character, either as an officer of the government, or a man. "Well, sir," he resumed, "I will frankly tell you what these charges are, and, sir, they are of a character which I can never respect." No doubt of that, sir, but what are they? "Why, sir, I am told, and on the best authority, that you were one of the principal promoters of that vile paper, "We the People;" as a contributor towards establishing it, and as a writer, afterwards, in which my wife Rachel was so shamefully abused. I am told, further, on authority no less respectable, that you took an active part in distributing, under the frank of your office, the "*coffin hand-bills;*" and that in your recent travels, you largely and widely circulated the militia pamphlet." Here he paused, crossed his legs, shook his foot, and clasped his hands around the upper knee, and looked at me as though he had actually convicted, and prostrated me; when, after a moment's pause, I asked—Well, sir, what else? "Why, sir," he answered, "I think such conduct highly unbecoming in one who fills a place in the government such as you fill, and very derogatory to you, as it would be in any one who should be guilty of such practices." All this, I replied, may be well enough, but I request to know if this is all you have heard, and whether there

are any more charges? "Why, yes, sir, there is one more; I am told your office is not in the condition in which it should be." Well, sir, what more? "Nothing, sir; but these are all serious charges, sir." Then, sir, these comprise all? "They do, sir." Well, General, I answered, I am not going to reply to all this, or to any part of it, with any view of retaining my office, nor do I mean to reply at all, *except under the solemnity of an oath* — when I threw up my hand towards heaven, saying, *the answers I am about to give to these allegations, I solemnly swear, shall be the truth, the whole truth, and nothing but the truth.* My oath, sir, is taken, and is no doubt recorded — He interrupted me, by saying, "You are making quite a serious affair of it." It is, sir, what I mean to do, I answered.

Now, sir, in regard to the paper called "*We the People*," I never did, directly or indirectly, either by my money, or by my pen, contribute towards its establishment, or its continuance. I never circulated one copy of it, more or less, nor did I subscribe for a copy of it, more or less; nor have I ever, to the best of my knowledge and belief, handled a copy of it, nor have I ever seen but two copies, and these were on the table of a friend, amongst other newspapers. So much for that charge. In regard to the "*coffin hand-bills*," I never circulated any, either under the frank of my office, or otherwise, and never saw but two; and am not certain that I ever saw but one, and that, some fool sent me, under cover, from Richmond, in Virginia, and which I found on my desk among other papers, on going to my office; and which, on seeing what it was, I tore up, and threw aside among the waste paper, to be swept out by my messenger. The other, which I took to be one of these bills, but which might have been an account of the hanging of some convict, I saw some time ago, pendent from a man's finger and thumb, he having a roll under his arm, as he crossed Broadway, in New York. So much for the coffin hand-bills. As to the "militia pamphlet," I have seen reference made to it in the newspapers, it is true, but I have never handled it — have never read it, or circulated a copy or copies of it, directly or indirectly. And now, sir, as to my office. That is my monument; its records are its inscriptions. Let it be examined, and I invite a commission for that purpose; nor will I return to it to put a paper in its place, should it be out of place, or in any other way prepare it for the ordeal; and, if there is a single flaw in it, or any just grounds for complaint, either on the part of the white or the red man, implicating my capacity — my diligence, or want of due regard to the interests of all

having business with it, including the government, then, sir, you shall have my free consent to put any mark upon me you may think proper, or subject me to as much opprobrium as shall gratify those who have thus abused your confidence by their secret attempts to injure me.

"Colonel McKenney," said the general, who had kept his eyes upon me during the whole of my reply, "I believe every word you have said, and am satisfied that those who communicated to me those allegations, were mistaken." I thank you, sir, I replied, for your confidence, but I am not satisfied. I request to have my accusers brought up, and that I may be allowed to confront them in your presence. "No — no, sir," he answered, "I am satisfied; why then push the matter farther?" when, rising from his chair, he took my arm, and said, "Come, sir, come down, and allow me to introduce you to my family." I accompanied him, and was introduced to Mrs. Donaldson, Major Donaldson, and some others who were present, partook of the offering of a glass of wine, and retired.

The next morning, I believe it was — or if not the next, some morning not far off — a Mr. R-b-s-n, a very worthy, gentlemanly fellow, and well known to me, came into my office. "You are busy, Colonel?" he said, as he entered. No, sir, not very, I replied; come in — I have learned to write and talk too, at the same time. Come in; sit down; I am glad to see you. Looking round the office, the entire walls of which I had covered with portraits of Indians, he asked, pointing to the one that hung over my desk, "Who is that?" *Red-Jacket*, I answered. "And that?" *Shin-guab-O'Wassin*, I replied; and so he continued . . . He then asked, "Who wrote the treaties with the Indians, and gave instructions to commissions, and, in general, carried on the correspondence of the office?" These are within the circle of my duties, the whole being under a general supervision of the Secretary of War, I answered. "Well, then," after a pause, he said, "the office will not suit me." What office? I asked. "This," he replied; "General Jackson told me, this morning, it was at my service; but before seeing the Secretary of War, I thought I would come and have a little chat with you, first."

I rose from my chair, saying — Take it, my dear sir, take it. The sword of Damocles has been hanging over my head long enough. "No," said he, "it is not the sort of place for me. I prefer an auditor's office, where forms are established." This worthy citizen had, in the fulness of his heart, doubtless, and out of pure affection for General Jackson, made that distinguished personage a present of the pair of pistols which General Washington had carried during the war of the Revolution. . . .

The office of Indian Affairs had, in like manner, been proffered to others; and the only reason why I had not been, at a very early period after General Jackson's succession to the Presidency, summarily disposed of, was, that the Secretary of War, Major Eaton, opposed it. . . .

. . . my chief clerk, Mr. Hambleton, came into my room one morning, soon after I had taken my seat at my table, and putting his hands upon it, leaned over. I looked up, and saw his eyes were full of tears! To my question — Is anything the matter, Mr. Hambleton? "Yes, sir — I am pained to inform you, that you are to be displaced to-day! . . . The President has appointed General Thompson, a member of Congress, of Georgia . . ." . . .

. . . Two hours after, I heard walking, and earnest talking in the passage. They continued for half an hour. When they ceased, Mr. Hambleton came into my room, his face all dressed in smiles, saying, "*It is not to be!*" What is not to be? "You are not to go out. When General Thompson came to the secretary this morning, with the President's reference to him, to assign him to your place, he was told, before he could act, he (the secretary) must see the President. The result of the secretary's interview with the President was, you were to be retained, and General Thompson is referred back to the President, for explanation, &c. Thompson is in a rage about it — and among other things said, "*It's a pretty business, indeed, that Eaton thinks he can command a frigate, and I can't manage a cock-boat!*" . . .

I had at that time on hand the large work on the History, &c., of the North American Indians. . . . I requested and obtained leave of absence, to go and look after this work, and for relaxation, and to better my health — and extended my journey to New York. On my return to Philadelphia, and on my way from the wharf to the hotel, I stopped at the post-office, and took from it a letter from Doctor Randolph, informing me that, from and after the first day of October next ensuing, my services in the Indian Department would not be required. Returning to Washington, I inquired of him what the grounds of my dismissal were. "Why, sir," was his reply, "everybody knows your qualifications for the place, but General Jackson has been long satisfied that you are not in harmony with him, in his views in regard to the Indians." And thus closed my connexion with the government.

Thomas L. M'Kenney, *Memoirs, Official and Personal; with Sketches of Travels among the Northern and Southern Indians* (New York, 1846), I, 200–262 *passim*.

159. The United States a Nation (1830)

BY SENATOR DANIEL WEBSTER

Webster ranks as the greatest American orator; his superiority in this respect somewhat shadows his renown as a lawyer and statesman. His orations were great, however, not only because of his magnetic presence and wonderful delivery, but also because of their strength of argument and beauty of language. He was the foremost apostle of broad nationalism and fervent loyalty, — not a party leader, like Clay, or a cold-blooded, philosophical advocate of sectionalism, like Calhoun. This extract is from his reply to Hayne, one of the master orations of the world. — For Webster, see Winsor, *Narrative and Critical History*, VII, 324–325; Providence Public Library, *Monthly Reference Lists*, I, 7. — Bibliography: Channing and Hart, *Guide*, §§ 156, 183, 205.

THIS leads us to inquire into the origin of this Government, and the source of its power. Whose agent is it? Is it the creature of the State Legislatures, or the creature of the people? . . . It is, sir, the people's constitution, the people's Government; made for the people; made by the people; and answerable to the people. The people of the United States have declared that this constitution shall be the supreme law. We must either admit the proposition, or dispute their authority. The States are, unquestionably, sovereign, so far as their sovereignty is not affected by this supreme law. But the State Legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the General Government, so far the grant is unquestionably good, and the Government holds of the people, and not of the State Governments. . . .

The people, then, sir, erected this Government. They gave it a constitution; and in that constitution they have enumerated the powers which they bestow on it. They have made it a limited Government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or to the people. But, sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation so precise, as to exclude all uncertainty. Who then shall construe this grant of the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they repose this ultimate right of deciding on the powers of the Government? Sir, they have settled all this in the fullest manner. They have left it with the Government itself, in its appropriate branches. Sir, the very chief end,

the main design, for which the whole constitution was framed and adopted was, to establish a Government that should not be obliged to act through State agency, or depend on State opinion and State discretion. The people had had quite enough of that kind of government, under the Confederacy. Under that system, the legal action, the application of law to individuals, belonged exclusively to the States. Congress could only recommend; their acts were not of binding force, till the States had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of State discretion, and State construction? Sir, if we are, then vain will be our attempt to maintain the constitution under which we sit. But, sir, the people have wisely provided, in the constitution itself, a proper, suitable mode and tribunal for settling questions of constitutional law. There are, in the constitution, grants of powers to Congress, and restrictions on these powers. There are, also, prohibitions on the States. Some authority must, therefore, necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions. The constitution has, itself, pointed out, ordained, and established, that authority. How has it accomplished this great and essential end? By declaring, sir, that "the constitution, and the laws of the United States made in pursuance thereof, shall be the supreme law of the land, any thing in the constitution or laws of any State to the contrary notwithstanding."

This, sir, was the first great step. By this, the supremacy of the constitution and laws of the United States is declared. The people so will it. No State law is to be valid which comes in conflict with the constitution or any law of the United States. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the constitution itself decides also, by declaring "that the judicial power shall extend to all cases arising under the constitution and laws of the United States." These two provisions, sir, cover the whole ground. They are, in truth, the key-stone of the arch. With these, it is a constitution; without them, it is a confederacy. In pursuance of these clear and express provisions, Congress established, at its very first session, in the Judicial Act, a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, sir, became a Government. It then had the means of self protection; and, but for this, it would, in all probability, have been now among things which are past. Having constituted the Government, and declared its powers, the people have farther said, that,

since somebody must decide on the extent of these powers, the Government shall itself decide; subject, always, like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a State Legislature acquires any power to interfere? Who or what gives them the right to say to the people, "we, who are your agents and servants for one purpose, will undertake to decide that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them?" The reply would be, I think, not impertinent: "Who made you a judge over another's servants? To their own masters they stand or fall." . . .

If, sir, the people, in these respects, had done otherwise than they have done, their constitution could neither have been preserved, nor would it have been worth preserving. And, if its plain provisions shall now be disregarded, and these new doctrines interpolated in it, it will become as feeble and helpless a being as its enemies, whether early or more recent, could possibly desire. It will exist, in every State, but as a poor dependent on State permission. It must borrow leave to be; and will be no longer than State pleasure, or State discretion, sees fit to grant the indulgence, and to prolong its poor existence.

But, sir, although there are fears, there are hopes, also[.] The people have preserved this, their own chosen constitution, for forty years, and have seen their happiness, prosperity, and renown, grow with its growth, and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault, it cannot be; evaded, undermined, nullified, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously and vigilantly discharge the two great branches of our public trust, faithfully to preserve, and wisely to administer it.

I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious, sir, of having detained you and the Senate much too long. I was drawn into the debate with no previous deliberation, such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments. I cannot, even now, persuade myself to relinquish it, without expressing, once more, my deep conviction, that, since it respects nothing less than the union of the States, it is of most vital and essential importance to the public happiness. I profess, sir, in my career, hitherto, to have kept steadily in view the prosperity and

honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home, and our consideration and dignity abroad. It is to that Union that we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influence, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and, although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, and personal happiness. I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty, when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor, in the affairs of this Government, whose thoughts should be mainly bent on considering, not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that, I seek not to penetrate the veil. God grant that, in my day, at least, that curtain may not rise. God grant that, on my vision, never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto no such miserable interrogatory as, What is all this worth? Nor those other words of delusion and folly, Liberty first, and Union afterwards: but every where, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every

wind under the whole heavens, that other sentiment, dear to every true American heart — Liberty *and* Union, now and forever, one and inseparable!

Congressional Debates, 21 Cong., 1 sess. (Gales and Seaton, Washington, 1830), VI, pt. i, 73–80 *passim*.

160. Jackson's Political Spectacles (1833)

BY CHARLES AUGUSTUS DAVIS

Davis was not a professional humorist, but a merchant of New York City. His *Major Jack Downing Letters*, first published in the *New York Advertiser*, were among the earliest sustained efforts at satirical political writing. They were very popular, for they had a good subject; and they were often imitated. Another writer, Seba Smith, has used the same pseudonym. — Bibliography: Channing and Hart, *Guide*, § 181.

Washington, 30th, Nov. 1833.

THE last letter I writ you tell'd you about the hunt we had arter the Gineral's specs, and when we found 'em they was all stomp'd to bits in his boot. The Gineral and all on us have been in trouble ever since about it, for they was given to him by Mr. Van Buren the very day Mr. Van Buren came to jine him at Washington as Secretary of State, and he tell'd the Gineral never to let nobody handle them are specs but himself, and that when they got out of order, never to let nobody mend 'em but himself. And, do you know, so particular was the Gineral, that when Mr. Van Buren was absent, I have known him to send them specs clean to England for Mr. Van Buren to fix 'em for h[i]m; for they had a dozen little screws and springs to 'em, that sometimes would get out of order, and when that was the case, you couldn't see no more threw 'em than you could threw Mr. Van Buren himself. As soon then as we found 'em all broke to bits, as I tell'd you in my last letter, the Gineral was in the greatest trouble I ever see; and he wrote right off to Mr. Van Buren about it, and sent the letter by express clear to Albany, where Mr. Van Buren was; and until that express got back agin, the Gineral could do nothing with business. He was as bad off as an owl in the sunshine. So to rights the express got back, and brought a letter from Mr. Van Buren, and a new pair of specs — jest like the old ones (afore they was broken) — there wan't a might of difference.

He put 'em on, and he looked as natural agin in 'em as ever. 'Aha!' says he, 'Major, these are the specs, after all. Tis strange,' says he,

'I can't see things with Governor Cass's specs, nor Governor Woodberry's, nor anybody's, as well as I can with these, for they are jest like the pair I broke;'—and then he read Mr. Van Buren's letter. 'See here now, Major,' says the Gineral, 'how kind it is in Mr. Van Buren to caution me, agin and agin, not to touch the screws; and do you know,' says the Gineral, 'that ever since I have had Mr. Van Buren with me, that whenever we come to read over any long statement about politics, and who to appint, or what to do with the Bank, or any thing that required sharp looking into, he would always first examine my specs, and take 'em off to the window, or to a corner with a light, and see that all was right, and try 'em himself, and then bring 'em back to me; for, as he says (and he is a knowin crittur) that unless I can see well into every thing, I best see nothin.'

A kinder notion than jest began to git in my head that I couldn't scratch out all I could do. And says I, 'Gineral, I would like now peskily to examine them specs; for if Mr. Van Buren has not got a patent for 'em (and seein he is Vice-President, and don't need one), I think of gitting one myself.' 'Well,' says the Gineral, 'I never like to refuse you nothin; but Mr. Van Buren made me promise never to let nobody examine into 'em, and especially you; for,' says he, 'Major, do you know that Mr. Van Buren has a notion you know a good deal about contrivances, and that it is the natur of your people Down East: and it might be he intends to git a patent himself for these very specs; and if so, he ought to have it, for he says they are jest as much his *invention* as your letters are yourn.' 'Well,' says I, 'its no matter.' But I got a kink in me to examin them are specs; and I couldn't sleep, nor eat, nor drink, till I got hold on 'em. So one night, when I and the Gineral had ben readin over the Message, and it was all finished and complete, he put his name to it; 'And now,' says he, 'Major, do you attend to the printin on't, and git about 100 copies on't to send to our folks who are distant, so they can git it as soon and a little afore the opposition folks can send it express, after it is delivered to Congress;' and so he went to bed, for he was eny most beat out. 'Now,' thinks I, 'for a try at them specs'—for I was all the while thinkin on 'em; and the public work couldn't go on without 'em. And so I snook'd 'em out, and clapp'd them on—the Gineral all the while snorin like a north-wester.

As soon as I took up the Message, and look'd at it, I couldn't make head nor tail on't. It seem'd to me jest, for all the world like one of them show-boxes—all the letters and figers was goin round and round,

and look'd all the while like some of them crouds we see last summer on the *grand tower*, throwin up hats, and cryin huzza for the Gineral and Major Downing, and Mr. Van Buren; and then, agin, there was a great glare, and it seem'd jest as if the Gineral was in the middle on't, and Mr. Van Buren, and Major Barry, and Amos Kindle, and a raft more of our folks, all seem'd to be standing round, firing off rockets; they would squirt up over the Gineral, and burst, and then shower down stars (jest as folks tell on tother night when the stars all did git a caperin) — and jest as they would come nigh the Gineral those stars would git together and burst agin; and then you could see nothin but 'glory,' and not a mite of the Gineral.

'Well,' thinks I, 'if the Gineral can read the Message with these specs, it's more than I can.' But I stuck to it, I kept turnin over the leaves till I got to the Treasury Accounts and the Bank business, and the deposits, and matters of such nature, — I had read all that over so often before, with the Gineral, I had it all by heart. But when I came to look at it through them specs, it was no more like it than I am like Mr. Van Buren. The accounts was all jumbled up, and then came another spell of 'glory' agin; the letters and figers all turnin into a crowd of folks and throwin up hats: and there was Squire Biddle standin at the door of his Bank, and Clay, and Webster, and Calhoun, and a crowd more of such chaps about him, with clubs in their hands, keepin off our folks, who all seem'd to be tryin to git into the windows; and some had got in and was jest comin out with bags on their backs, and among 'em I could see the cashiers of the new Deposit Banks, with as much as they could stagger under, and all carryin a label with 'glory' and 'huzza for Gineral Jackson,' and then agin up went another batch of rockets! and there was the Gineral in another blaze of 'glory;' and jest as fast as I turn'd over the leaves, and look'd a spell, every thing would git to caperin agin, and end in a blow up; and I could jest git a glimps of the Gineral, all kivered up in 'glory.'

Well, thinks I, if things look so to the Gineral, as they do to me threw these specs, I don't wonder so much that he don't always see 'em as other folks do; and then I went to work, lookin into the contrivance; I give one screw a twist one way, and the glasses flew round like a flash; and I took up the Message agin, and had another look, the letters and figures would all jump about a spell, and change sides; and when you come to read 'em, they warnt nothin like what I had written 'em; so I kept on turnin the screws, and slippin the springs, and every time I'd

try another look, things kept all the while lookin different — and by-and-by I got 'em so that things look'd jest as they are; and as they look threw most specs. 'Well,' thinks I, 'if this don't beat all natur.' — And the more I look'd into the contrivance of them are specs, the more I began to think that they knew a thing or two in Albany. 'And now,' thinks I, 'I'll leave these specs as they now are, and let the Gineral take a look at things as he used to, before Mr. Van Buren gave him a pair of spectacles.' And so the next morning, when the Gineral come into the Cabinet-room up-chamber, the first thing he said, says he, 'Major, I'll take good care how I put these specs in my pantaloons-pocket agin.' And he took 'em out of his side-pocket, and begun rubbin 'em; 'Now,' says he, 'Major, jest let me take another look at that Message. I want to see,' says he, 'how the Treasury 'counts and the Bank matters look once more, for, do you know,' says he, 'Major, I don't know much about figers, and every time I read that over, I'd get puzzled. But I suppose it's all right; and as soon as I git puzzled with such matters, or any other matters, I seem to think the people understand it if I don't; for I can almost swear I can see 'em jest as glad, let me do or say what I will, as they all was on the *grand tower;* and that's enuf.' So I turned over the Message to that part the Gineral wanted to see; and he put on his specs, and went on to readin it.

I kept my eye on him; he look'd a spell, and blink'd, and twisted his mouth, and took off his specs and rubb'd 'em, and look'd agin and blink'd, and twisted his eyebrows, laid the Message on his knees, and begun to reckon on his fingers — for he is a master-hand at that, and can do a sum so, nigh upon as quick as I can with a slate — so to rights, says he, 'Major, I don't like the looks of this a bit.' 'How so,' says I? 'Well,' says he, 'I don't know, but it don't look as it used to.' And with that he lookd up over the mantel-tree piece — and started back, and look'd agin, and twisted his eyebrows and lips plagily; and to rights says he, 'Major, whose likeness is that in plaster?' 'Why,' says I, 'that's Mr. Van Buren, and a good likeness too.' 'Well, whose is that?' 'Why that's yourn,' says I, 'and it looks for all the world like you' — and with that he jump'd up and took his Hickory, and with one lick he smashed both on 'em into powder. Jist then in come Amos Kindle with some newspapers, and the Gineral walk'd right up to him with his Hickory in one hand, and the other hand holdin on his spectacles — the Gineral blinked at him a spell, Amos bowed — 'Who are you?' says the Gineral; 'what do you want?' and jest as he was going

to speak, the Gineral fetched him a clip, and if he hadn't been a master-hand at dodging, you'd a heard no more on him: he streaked it for the door, and got out in time. 'Major,' says the Gineral (taking off his specs to give 'em another wipe), 'warn't that Calhoun, or was it Duff Green? 'twas one or tother of them slim streaked-looking fellers, I'm sartin.' I see there was no time to lose, and at this rate the Gineral would smash all the looking-glasses, and the Message too, and every thing else about him, if I couldn't git them are specs back agin, to fix the screws jest as Mr. Van Buren had 'em, so that he could see 'glory' agin and nothin else; and so I tell'd the Gineral to let me wipe his specs: and as soon as I got 'em, I screw'd 'em back to the old place, and ever since that, things go on smooth agin. I don't like to show the Gineral the nature of this contrivance yet of Mr. Van Buren's, but when Congress gets agoin, we shall have high times, and when the good time comes to let the Gineral see things as they are, without any 'glory,' I'll jest git his spectacles, and give them a twist back to a *plain sight*, and if you don't see trouble among some of our folks I'm mistaken. The Message now being done, and Congress jest getting together, I shall have more time to write to you.

[Charles Augustus Davis], *Letters of J. Downing, Major* (New York, 1834), 128–137.

161. Right of Nullification (1833)

BY SENATOR JOHN CALDWELL CALHOUN

This speech was delivered at the time when the Senate was debating a bill to enforce the collection of import duties in South Carolina, commonly called the Force Bill. Calhoun had been a leading spirit in South Carolina's nullification proceedings. — For Calhoun, see No. 131 above. — Bibliography as in No. 159 above.

THE great question at issue is, where is the paramount power? Where the sovereignty in this complex, but beautiful and admirable system (if well understood) is lodged? for where the sovereignty is, there too must be the paramount power. A few plain, simple, and incontrovertible positions will determine this point. That the people of the States, as constituting separate communities, formed the constitution, is as unquestionable as any historical fact whatever. It stands upon the most durable and unquestionable record — as much so as the records of any court in the universe; and that the Union, of which the constitutional

compact is the bond, is a union between States, and not between a mere mass of individuals, rests on authority not less high — on the constitution itself, which expressly declares, in the article of ratification, that it shall be binding *between the States ratifying the same* — words more explicit, he would say *technical*, could not be devised; yet, as certain as these facts are, they cannot be admitted without admitting the doctrines for which South Carolina contends. They, by the most certain and direct deduction, conclusively will show where the paramount power of the system is — where its sovereign authority resides.

No one will pretend that the sovereignty is in the Government. To make that assertion would be to go back to the Asiatic idea of government — it is scarcely European, as the most intelligent writers in that section of the globe long since traced sovereignty to a higher source. No, the sovereignty is not in the Government, it is in the people. Any other conception is utterly abhorrent to the ideas of every American. There is not a particle of sovereignty in the Government. If, then, it be in the people, which cannot be denied, unless by extinguishing the lights of political science for more than two thousand years, the only possible question that can remain is, in what people? In the people of the United States collectively, as a mass of individuals, or in the people of the twenty-four States, as forming distinct political communities, confederated in this Union? The facts already published decide this question, and prove the sovereignty to be in the people of the several States. No such community ever existed as the people of the United States, forming a collective body of individuals in one nation; and the idea that they are so united by the present constitution, as a social compact, as alleged by the proclamation, is utterly false and absurd. To call the constitution the social compact, is the greatest possible abuse of language. No two things are more dissimilar; there is not an expression in the whole science of politics more perfectly definite in its meaning than the social compact. It means that association of individuals, founded on the implied assent of all its members, which precedes all Government, and from which Government or the constitutional compact springs; and yet, the President, in the daring attempt to put down our federal system, has ventured to confound things so totally dissimilar. The sovereignty, then, is in the people of the several States, united in this federal Union. It is not only in them, but in them unimpaired; not a particle resides in the Government; not one particle in the American people collectively.

The people of the States have, indeed, delegated a portion of their

sovereignty, to be exercised conjointly by a General Government, and have retained the residue to be exercised by their respective State Governments. But to delegate is not to part with or to impair power. The delegated power in the agent is as much the power of the principal as if it remained in the latter, and may, as between him and his agent, be controlled or resumed at pleasure. Now mark the consequence.

No one can deny that the act of the sovereign binds the citizen or subject. The latter is not individually responsible for the act of the political community of which he is a member, and to which he owes allegiance. The community only is responsible. This is a principle universally recognised; but without regarding a principle so obvious — formed upon the highest sense of justice — this bill proposes to make the citizen of South Carolina individually responsible for the sovereign acts of the State to which he owes his allegiance! An outrage, more than barbarian, upon the fundamental principle of political institutions, as has ever been recognised by all people so far advanced in civilization as to be formed into political communities. None can doubt that the convention of the people of South Carolina is the true organ of her sovereignty. According to our American ideas, sovereignty, instead of lying dormant in the mass of individuals composing a State, and instead of being capable of being called into action by a revolutionary movement only, has a known, organic, and peaceable means of action. That means is a convention of the people. Through its instrumentality all of our constitutions, State and Federal, were formed and ratified. Through the same authentic voice the people of South Carolina spoke in her late ordinance; which, as far as her citizens are concerned, is not less obligatory than the constitution itself.

It is to see that, under this aspect of the subject, this bill presents a question infinitely beyond that of the tariff or its constitutionality, of nullification, or whether the Supreme Court is the tribunal appointed by the constitution to decide questions in controversy between the State and Federal Governments. It sweeps away the whole of these questions. It may be admitted, to illustrate this idea, that the tariff is constitutional; that the Supreme Court is the authority appointed by the constitution to judge questions in conflict between the State and Federal Governments; and yet this bill cannot be justified. High as the authority of the court may be, its powers are but delegated powers; it makes a part of the Government itself; and, like every other portion of the Government, is destitute of the least particle of sovereign power. As delegated

powers may be resumed by the sovereign delegating the same, such a resumption may be a breach of compact — a violation of the faith of the State; but, even in that case, the State, as a community, and not its citizens individually, is liable. The State, as a community, can break no law. It can, as a sovereign body, be subject to none. It may pledge its faith; it may delegate its powers; it may break the one and resume the other; but the remedy, in such cases, is not hostile enactments; not law, by which the citizens individually are made responsible — as the bill most absurdly and preposterously proposes; but open force — war itself — unless there be some provision of a remedial and peaceful character provided in the compact.

. . . The illustrious men who framed our constitution were too wise and patriotic to admit of the introduction of force; in constituting a federal system, they had too profound a knowledge of the human heart, too deep an insight into history, not to perceive that the introduction of force into such a system must necessarily lead to a military despotism. The fabric is too delicate to stand its rude shock. They devised, as a substitute, a far more effectual and peaceful means — one much more consonant to the advanced progress of political science and civilization. He alluded to the provision by which all contests for power between the Federal Government and the States may be virtually decided in a convention of the States. That is the true, wise, and constitutional means of terminating this controversy. Let the States be convened in convention; let the stockholders, if he might be permitted so to express himself, of this great political partnership be called together, that all conflicts of power between the directors and any portion of the stockholders may be determined in conformity to the provisions prescribed in the charter of association.

If, then, in a case supposed, (where, for the sake of the argument, the constitutionality of the tariff is conceded, and with the same view the authority claimed for the Supreme Court acknowledged,) there would be no right to pass this bill of pains and penalties on the citizens of South Carolina for adhering to their allegiance to the State, how much stronger must be the objection to its passage when we advert to the fact, that it is not a case of resumption of power delegated to the Government, but the defence of reserved powers against unconstitutional encroachment. So far from conceding the constitutionality of the tariff or the powers claimed for the Supreme Court, not only the State of South Carolina, but all the Southern States, believe it to be not only unconstitutional,

but highly oppressive; and that the Supreme Court, so far from being the tribunal appointed to decide political controversies, is limited by the constitution itself to cases arising in law and equity, and, of course, where the parties are amenable to its process.

Congressional Debates, 22 Cong., 2 sess. (Gales and Seaton, Washington, 1833), IX, pt. i, 188–190 *passim*.

162. Principles of Executive Government (1834)

BY PRESIDENT ANDREW JACKSON

The force of will for which Jackson was famous, and which helped greatly toward making him president, is nowhere better illustrated than in his opposition to the United States Bank. When convinced of the righteousness of a cause, he was fearless in attaining results, and indifferent to means so long as they accomplished the end speedily. But he was proud of his integrity and of the position he occupied, and little inclined to brook questioning of the one or interference with the other. The Senate refused to enter on its journal the protest given below. — For Jackson, see Winsor, *Narrative and Critical History*, VII, 348–351. — Bibliography: Channing and Hart, *Guide*, §§ 182, 184; A. B. Hart, *Revised Suggestions*, § 33g.

IT appears by the published Journal of the Senate that on the 26th of December last a resolution was offered by a member of the Senate, which after a protracted debate was on the 28th day of March last modified by the mover and passed by the votes of twenty-six Senators out of forty-six who were present and voted, in the following words, viz:

Resolved, That the President, in the late Executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both.

Having had the honor, through the voluntary suffrages of the American people, to fill the office of President of the United States during the period which may be presumed to have been referred to in this resolution, it is sufficiently evident that the censure it inflicts was intended for myself. Without notice, unheard and untried, I thus find myself charged on the records of the Senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and Constitution of my country.

It can seldom be necessary for any department of the Government, when assailed in conversation or debate or by the strictures of the press or of popular assemblies, to step out of its ordinary path for the purpose of vindicating its conduct or of pointing out any irregularity or injustice

in the manner of the attack; but when the Chief Executive Magistrate is, by one of the most important branches of the Government in its official capacity, in a public manner, and by its recorded sentence, but without precedent, competent authority, or just cause, declared guilty of a breach of the laws and Constitution, it is due to his station, to public opinion, and to a proper self-respect that the officer thus denounced should promptly expose the wrong which has been done.

In the present case, moreover, there is even a stronger necessity for such a vindication. By an express provision of the Constitution, before the President of the United States can enter on the execution of his office he is required to take an oath or affirmation in the following words:

> I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States and will to the best of my ability preserve, protect, and defend the Constitution of the United States.

The duty of defending so far as in him lies the integrity of the Constitution would indeed have resulted from the very nature of his office, but by thus expressing it in the official oath or affirmation, which in this respect differs from that of any other functionary, the founders of our Republic have attested their sense of its importance and have given to it a peculiar solemnity and force. Bound to the performance of this duty by the oath I have taken, by the strongest obligations of gratitude to the American people, and by the ties which unite my every earthly interest with the welfare and glory of my country, and perfectly convinced that the discussion and passage of the above-mentioned resolution were not only unauthorized by the Constitution, but in many respects repugnant to its provisions and subversive of the rights secured by it to other coordinate departments, I deem it an imperative duty to maintain the supremacy of that sacred instrument and the immunities of the department intrusted to my care by all means consistent with my own lawful powers, with the rights of others, and with the genius of our civil institutions. To this end I have caused this my *solemn protest* against the aforesaid proceedings to be placed on the files of the executive department and to be transmitted to the Senate.

It is alike due to the subject, the Senate, and the people that the views which I have taken of the proceedings referred to, and which compel me to regard them in the light that has been mentioned, should be exhibited at length, and with the freedom and firmness which are required by an occasion so unprecedented and peculiar.

Under the Constitution of the United States the powers and functions

of the various departments of the Federal Government and their responsibilities for violation or neglect of duty are clearly defined or result by necessary inference. The legislative power is, subject to the qualified negative of the President, vested in the Congress of the United States, composed of the Senate and House of Representatives; the executive power is vested exclusively in the President, except that in the conclusion of treaties and in certain appointments to office he is to act with the advice and consent of the Senate; the judicial power is vested exclusively in the Supreme and other courts of the United States, except in cases of impeachment, for which purpose the accusatory power is vested in the House of Representatives and that of hearing and determining in the Senate. But although for the special purposes which have been mentioned there is an occasional intermixture of the powers of the different departments, yet with these exceptions each of the three great departments is independent of the others in its sphere of action, and when it deviates from that sphere is not responsible to the others further than it is expressly made so in the Constitution. In every other respect each of them is the coequal of the other two, and all are the servants of the American people, without power or right to control or censure each other in the service of their common superior, save only in the manner and to the degree which that superior has prescribed.

The responsibilities of the President are numerous and weighty. He is liable to impeachment for high crimes and misdemeanors, and on due conviction to removal from office and perpetual disqualification; and notwithstanding such conviction, he may also be indicted and punished according to law. He is also liable to the private action of any party who may have been injured by his illegal mandates or instructions in the same manner and to the same extent as the humblest functionary. In addition to the responsibilities which may thus be enforced by impeachment, criminal prosecution, or suit at law, he is also accountable at the bar of public opinion for every act of his Administration. Subject only to the restraints of truth and justice, the free people of the United States have the undoubted right, as individuals or collectively, orally or in writing, at such times and in such language and form as they may think proper, to discuss his official conduct and to express and promulgate their opinions concerning it. Indirectly also his conduct may come under review in either branch of the Legislature, or in the Senate when acting in its executive capacity, and so far as the executive or legislative proceedings of these bodies may require it, it may be exercised by

them. These are believed to be the proper and only modes in which the President of the United States is to be held accountable for his official conduct.

Tested by these principles, the resolution of the Senate is wholly unauthorized by the Constitution, and in derogation of its entire spirit. It assumes that a single branch of the legislative department may for the purposes of a public censure, and without any view to legislation or impeachment, take up, consider, and decide upon the official acts of the Executive. But in no part of the Constitution is the President subjected to any such responsibility, and in no part of that instrument is any such power conferred on either branch of the Legislature. . . .

. . . It is due to the high trust with which I have been charged, to those who may be called to succeed me in it, to the representatives of the people whose constitutional prerogative has been unlawfully assumed, to the people and to the States, and to the Constitution they have established that I should not permit its provisions to be broken down by such an attack on the executive department without at least some effort "to preserve, protect, and defend" them. With this view, and for the reasons which have been stated, I do hereby *solemnly protest* against the aforementioned proceedings of the Senate as unauthorized by the Constitution, contrary to its spirit and to several of its express provisions, subversive of that distribution of the powers of government which it has ordained and established, destructive of the checks and safeguards by which those powers were intended on the one hand to be controlled and on the other to be protected, and calculated by their immediate and collateral effects, by their character and tendency, to concentrate in the hands of a body not directly amenable to the people a degree of influence and power dangerous to their liberties and fatal to the Constitution of their choice.

The resolution of the Senate contains an imputation upon my private as well as upon my public character, and as it must stand forever on their journals, I can not close this substitute for that defense which I have not been allowed to present in the ordinary form without remarking that I have lived in vain if it be necessary to enter into a formal vindication of my character and purposes from such an imputation. In vain do I bear upon my person enduring memorials of that contest in which American liberty was purchased; in vain have I since periled property, fame, and life in defense of the rights and privileges so dearly bought; in vain am I now, without a personal aspiration or the hope of

individual advantage, encountering responsibilities and dangers from which by mere inactivity in relation to a single point I might have been exempt, if any serious doubts can be entertained as to the purity of my purposes and motives. If I had been ambitious, I should have sought an alliance with that powerful institution which even now aspires to no divided empire. If I had been venal, I should have sold myself to its designs. Had I preferred personal comfort and official ease to the performance of my arduous duty, I should have ceased to molest it. In the history of conquerors and usurpers, never in the fire of youth nor in the vigor of manhood could I find an attraction to lure me from the path of duty, and now I shall scarcely find an inducement to commence their career of ambition when gray hairs and a decaying frame, instead of inviting to toil and battle, call me to the contemplation of other worlds, where conquerors cease to be honored and usurpers expiate their crimes. The only ambition I can feel is to acquit myself to Him to whom I must soon render an account of my stewardship, to serve my fellow-men, and live respected and honored in the history of my country. No; the ambition which leads me on is an anxious desire and a fixed determination to return to the people unimpaired the sacred trust they have confided to my charge; to heal the wounds of the Constitution and preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government supported by powerful monopolies and aristocratical establishments that they will find happiness or their liberties protection, but in a plain system, void of pomp, protecting all and granting favors to none, dispensing its blessings, like the dews of Heaven, unseen and unfelt save in the freshness and beauty they contribute to produce. It is such a government that the genius of our people requires; such an one only under which our States may remain for ages to come united, prosperous, and free. If the Almighty Being who has hitherto sustained and protected me will but vouchsafe to make my feeble powers instrumental to such a result, I shall anticipate with pleasure the place to be assigned me in the history of my country, and die contented with the belief that I have contributed in some small degree to increase the value and prolong the duration of American liberty.

To the end that the resolution of the Senate may not be hereafter drawn into precedent with the authority of silent acquiescence on the part of the executive department, and to the end also that my motives and views in the Executive proceedings denounced in that resolution

may be known to my fellow-citizens, to the world, and to all posterity, I respectfully request that this message and protest may be entered at length on the journals of the Senate.

James D. Richardson, *A Compilation of the Messages and Papers of the Presidents* (Washington, 1896), III, 69–93 *passim*.

163. Spirit of Republican Government (1835)

BY ALEXIS DE TOCQUEVILLE

(TRANSLATED BY HENRY REEVE)

For Tocqueville, see No. 156 above. — Bibliography, Channing and Hart, *Guide*, §§ 156, 183; A. B. Hart, *Introduction to the Study of Federal Government*, § 469.

THE dismemberment of the Union, by the introduction of war into the heart of those States which are now confederate, with standing armies, a dictatorship, and a heavy taxation, might, eventually, compromise the fate of the republican institutions. But we ought not to confound the future prospects of the republic with those of the Union. The Union is an accident, which will only last as long as circumstances are favourable to its existence; but a republican form of Government seems to me to be the natural state of the Americans; which nothing but the continued action of hostile causes, always acting in the same direction, could change into a monarchy. The Union exists principally in the law which formed it; one revolution, one change in public opinion, might destroy it for ever; but the republic has a much deeper foundation to rest upon.

What is understood by a republican government in the United States is the slow and quiet action of society upon itself. It is a regular state of things really founded upon the enlightened will of the people. It is a conciliatory government under which resolutions are allowed time to ripen; and in which they are deliberately discussed, and executed with mature judgment. The republicans in the United States set a high value upon morality, respect religious belief, and acknowledge the existence of rights. They profess to think that a people ought to be moral, religious, and temperate, in proportion as it is free. What is called the republic in the United States, is the tranquil rule of the majority, which, after having had time to examine itself, and to give proof of its existence, is the common source of all the powers of the State. But the

power of the majority is not of itself unlimited. In the moral world humanity, justice, and reason enjoy an undisputed supremacy; in the political world vested rights are treated with no less deference. The majority recognises these two barriers; and if it now and then overstep them, it is because, like individuals, it has passions, and, like them, it is prone to do what is wrong, whilst it discerns what is right. . . .

The ideas which the Americans have adopted respecting the republican form of government, render it easy for them to live under it, and ensure its duration. If, in their country, this form be often practically bad, at least it is theoretically good; and, in the end, the people always acts in conformity to it.

It was impossible at the foundation of the States, and it would still be difficult, to establish a central administration in America. The inhabitants are dispersed over too great a space, and separated by too many natural obstacles, for one man to undertake to direct the details of their existence. America is therefore pre-eminently the country of provincial and municipal government. To this cause, which was plainly felt by all the Europeans of the New World, the Anglo-Americans added several others peculiar to themselves.

At the time of the settlement of the North American colonies, municipal liberty had already penetrated into the laws as well as the manners of the English; and the emigrants adopted it, not only as a necessary thing, but as a benefit which they knew how to appreciate. We have already seen the manner in which the Colonies were founded: every province, and almost every district, was peopled separately by men who were strangers to each other, or who associated with very different purposes. The English settlers in the United States, therefore, early perceived that they were divided into a great number of small and distinct communities which belonged to no common centre; and that it was needful for each of these little communities to take care of its own affairs, since there did not appear to be any central authority which was naturally bound and easily enabled to provide for them. Thus, the nature of the country, the manner in which the British Colonies were founded, the habits of the first emigrants, in short, everything, united to promote, in an extraordinary degree, municipal and provincial liberties.

In the United States, therefore, the mass of the institutions of the country is essentially republican; and in order permanently to destroy the laws which form the basis of the republic, it would be necessary to abolish all the laws at once. . . .

In the United States, the sovereignty of the people is not an isolated doctrine bearing no relation to the prevailing manners and ideas of the people: it may, on the contrary, be regarded as the last link of a chain of opinions which binds the whole Anglo-American world. That Providence has given to every human being the degree of reason necessary to direct himself in the affairs which interest him exclusively; such is the grand maxim upon which civil and political society rests in the United States. The father of a family applies it to his children; the master to his servants; the township to its officers; the province to its townships; the State to the provinces; the Union to the States; and when extended to the nation, it becomes the doctrine of the sovereignty of the people.

Thus, in the United States, the fundamental principle of the republic is the same which governs the greater part of human actions; republican notions insinuate themselves into all the ideas, opinions, and habits of the Americans, whilst they are formally recognised by the legislation: and before this legislation can be altered the whole community must undergo very serious changes. In the United States, even the religion of most of the citizens is republican, since it submits the truths of the other world to private judgment: as in politics the care of its temporal interests is abandoned to the good sense of the people. Thus every man is allowed freely to take that road which he thinks will lead him to heaven; just as the law permits every citizen to have the right of choosing his government.

It is evident that nothing but a long series of events, all having the same tendency, can substitute for this combination of laws, opinions, and manners, a mass of opposite opinions, manners, and laws.

If republican principles are to perish in America, they can only yield after a laborious social process, often interrupted, and as often resumed; they will have many apparent revivals, and will not become totally extinct until an entirely new people shall have succeeded to that which now exists. Now, it must be admitted that there is no symptom or presage of the approach of such a revolution. There is nothing more striking to a person newly arrived in the United States, than the kind of tumultuous agitation in which he finds political society. The laws are incessantly changing, and at first sight it seems impossible that a people so variable in its desires should avoid adopting, within a short space of time, a completely new form of government. Such apprehensions are, however, premature; the instability which affects political institutions is

of two kinds, which ought not to be confounded: the first, which modifies secondary laws, is not incompatible with a very settled state of society; the other shakes the very foundations of the Constitution, and attacks the fundamental principles of legislation; this species of instability is always followed by troubles and revolutions, and the nation which suffers under it is in a state of violent transition.

Experience shows that these two kinds of legislative instability have no necessary connection; for they have been found united or separate, according to times and circumstances. The first is common in the United States, but not the second: the Americans often change their laws, but the foundation of the Constitution is respected.

. . . It is, however, my opinion that by changing their administrative forms as often as they do, the inhabitants of the United States compromise the future stability of their Government.

It may be apprehended that men, perpetually thwarted in their designs by the mutability of the legislation, will learn to look upon republican institutions as an inconvenient form of society; the evil resulting from the instability of the secondary enactments might then raise a doubt as to the nature of the fundamental principles of the Constitution, and indirectly bring about a revolution; but this epoch is still very remote.

It may, however, be foreseen even now, that when the Americans lose their republican institutions they will speedily arrive at a despotic Government, without a long interval of limited monarchy. Montesquieu remarked, that nothing is more absolute than the authority of a prince who immediately succeeds a republic, since the powers which had fearlessly been entrusted to an elected magistrate are then transferred to an hereditary sovereign. This is true in general, but it is more peculiarly applicable to a democratic republic. In the United States, the magistrates are not elected by a particular class of citizens, but by the majority of the nation; they are the immediate representatives of the passions of the multitude; and as they are wholly dependent upon its pleasure, they excite neither hatred nor fear: hence, as I have already shown, very little care has been taken to limit their influence, and they are left in possession of a vast deal of arbitrary power. This state of things has engendered habits which would outlive itself; the American magistrate would retain his power, but he would cease to be responsible for the exercise of it; and it is impossible to say what bounds could then be set to tyranny.

Some of our European politicians expect to see an aristocracy arise in America, and they already predict the exact period at which it will be able to assume the reins of government. I have previously observed, and I repeat my assertion, that the present tendency of American society appears to me to become more and more democratic. Nevertheless, I do not assert that the Americans will not, at some future time, restrict the circle of political rights in their country, or confiscate those rights to the advantage of a single individual; but I cannot imagine that they will ever bestow the exclusive exercise of them upon a privileged class of citizens, or, in other words, that they will ever found an aristocracy.

An aristocratic body is composed of a certain number of citizens who, without being very far removed from the mass of the people, are, nevertheless, permanently stationed above it: a body which it is easy to touch and difficult to strike; with which the people are in daily contact, but with which they can never combine. . . . Aristocratic institutions cannot subsist without laying down the inequality of men as a fundamental principle, as a part and parcel of the legislation, affecting the condition of the human family as much as it affects that of society; but these are things so repugnant to natural equity that they can only be extorted from men by constraint.

I do not think a single people can be quoted, since human society began to exist, which has, by its own free will and by its own exertions, created an aristocracy within its own bosom. All the aristocracies of the Middle Ages were founded by military conquest; the conqueror was the noble, the vanquished became the serf. Inequality was then imposed by force; and after it had been introduced into the manners of the country it maintained its own authority, and was sanctioned by the legislation. Communities have existed which were aristocratic from their earliest origin, owing to circumstances anterior to that event, and which became more democratic in each succeeding age. Such was the destiny of the Romans, and of the barbarians after them. But a people, having taken its rise in civilisation and democracy, which should gradually establish an inequality of conditions, until it arrived at inviolable privileges and exclusive castes, would be a novelty in the world; and nothing intimates that America is likely to furnish so singular an example.

Alexis de Tocqueville, *Democracy in America* ("new edition," London, 1875), I, 425–431 *passim*.

164. Workings of Universal Suffrage (1842)

BY CHARLES LYELL (1845)

Lyell, the famous English geologist, visited America primarily as a scientist, but the occasional remarks on American life in his book of travels were received on both sides of the ocean as correct, sensible, and discriminating. He made a second visit to the United States in 1845–46, and published further observations, which were also favorably criticised. — Bibliography: Bowker and Iles, *Reader's Guide in Economic, Social, and Political Science*, 108–110.

AS politicians, no people are so prone to give way to groundless fears and despondency respecting the prospects of affairs in America as the English, partly because they know little of the condition of society there, and partly from their own well-founded conviction, that a near approach to universal suffrage at home would lead to anarchy and insecurity of property. To divide the land equally among all, to make an "equitable adjustment" of the national debt, or, in other words, to repudiate, are propositions gravely discussed at Chartist meetings, and even embodied in numerously signed petitions to parliament. The majority even of the democratic party in the U. S. would probably assent to the opinion, that in England, where there is so much actual want, where one tenth of the population, or 1,500,000 persons, receive parochial relief, where education has made such slow progress among the poor, and where there is no outlet in the Far West, no safety-valve for the escape of the redundant inhabitants, it would be most dangerous to entrust every adult male with the right of voting. Yet in America they think the experiment a safe one, or even contend that it has succeeded. But not a few of the opposite party, however inexpedient and useless they may think it to agitate the question, agree with the majority of European politicians in considering that it has lowered and deteriorated the character of the electoral body.

It is undeniable that the rapidity with which the native population has multiplied throughout the Union, and still more the influx of aliens into every State, has had a tendency to cause the whole country to resemble a new colony, rather than an old and long-established nation. Not only many new Territories and States, but even some of the old ones, such as New York and Pennsylvania, contain so much unoccupied land that they are full of adventurers and speculators from other parts of America, and of new-comers from Europe, speaking different languages, often cherishing foreign prejudices, and disturbing the equilibrium of

native parties, founded on broad and distinct views of home policy. I have already remarked, that, on the southern frontier of the State of New York . . . I saw the native forest yielding as fast to the axe of the new settler, as if we had penetrated to the Far West, or the back woods of Canada. When we turn to her northern confines, we learn from the Reports of the Geological Surveyors employed by government in 1837, and subsequent years, that in Essex County and elsewhere they had recourse to Indian guides in a pathless wilderness, encountered panthers and moose-deer, found the beaver still lingering in some streams, saw lakes before undescribed, and measured the height of mountains for the first time. During my short sojourn in the metropolis of that State, I witnessed, among other illustrations of the heterogeneous composition of its people, a grand Repeal demonstration, an endless procession of Irish parading the streets, with portraits of O'Connell emblazoned on their banners, and various mottoes, implying that their thoughts were occupied with party questions of British, not of American politics. A large number of these aliens have, contrary to old usage, been of late years invested with electoral rights; and candidates for places in the magistracy, or the legislature, are degraded by paying court to their sympathies and ignorant prejudices. This temptation is too strong to be resisted; for, small as may be their numbers when compared with the native voters, they often turn the scale in an election where the great constitutional parties are very nearly balanced.

In addition to some of these evils, Pennsylvania labours under the disadvantage of being jointly occupied by two races, those of British, and those of German extraction. The latter are spoken of by the Anglo-Americans as the Bœotians of the land. They appeared to me industrious and saving, very averse to speculation, but certainly wanting in that habit of identifying themselves with the acts of their government, which can alone give to the electors under a representative system a due sense of responsibility. Some of them talked of their public works as of commercial projects which had failed; and when I remarked that, unlike the English, whose debts were incurred by carrying on wars, they were at least reaping some advantage from their expenditure, they assured me I was mistaken — that such cheap and rapid means of locomotion were positively injurious, by facilitating migrations to the West, and preventing a country with a "sparse" population from filling up. For this reason, their lands had not risen in value as they ought to have done. They protested that they had always been opposed to rail-

ways and canals; and that for every useful line adopted, there was sure to be another unnecessary canal or railway made, in consequence of "log-rolling" in their legislature. The representatives, they say, of each section of the country, would only consent to vote money, if they could obtain a promise that an equal sum should be laid out in their own district, and to this end some new and uncalled-for scheme had to be invented. This kind of jobbing they compare to log-rolling in the back settlements, where the thinly-scattered inhabitants assemble and run up a log-cabin in a single day for the new-comer, receiving, in their turn, some corresponding service, whenever the union of numbers is required.

From all I could learn, I felt inclined to believe, that as soon as these Germans were convinced that they really owed the money they would pay it. There are, however, a multitude of European immigrants who have recently been admitted to take part in the elections by shortening the term of years required for naturalization. It is also notorious that, owing to the neglect of registration, many aliens vote fraudulently, and others several times over at the same poll, in various disguises.

To those English politicians who are not accustomed to look with favouring eyes on democratic institutions in general, the task of reforming such abuses appears hopeless. By what eloquence, they ask, can we persuade an ignorant multitude to abdicate power, if we have once taken the false step of conferring sovereignty upon them? At every election they must become more and more demoralized. It is proverbially difficult for truth to reach the ears of kings, and what matters it whether the sovereign consist of one or of many individuals? The flattery of demagogues is not less gross and servile than that of courtiers in the palaces of princes. The candidates for popular favour, when appealing to the passions of the vulgar, their vanity, pride, and national jealousy, never administer their honied drugs in homœopathic doses. By what arts or powers of oratory can we hope to persuade the least educated portion of the community, when they have once obtained by their numbers a preponderating influence, that they ought to be disfranchised? — that the more wealthy citizens, who have leisure for study and reflection, will shrink from the ordeal of contested elections, if they must defer to vulgar prejudices, and coarser feelings; — in a word, that some must be content to break stones on the road and dig canals, instead of choosing lawgivers, and instructing them how to vote?

Charles Lyell, *Travels in North America* (London, 1845), I, 227–232.

CHAPTER XXV — ENLARGEMENT OF INTERCOURSE

165. First American Steam Railroad (1830)

BY JOHN HAZLEHURST BONEVAL LATROBE (1868)

Latrobe was connected with the Baltimore and Ohio Railroad from its inception, and was the counsel of the road for over fifty years. The locomotive here described was not the first one placed on an American track: that distinction belongs to an English-built engine, which, however, was not a success. This was the first American locomotive to make a successful trip. To the Charleston and Hamburg Railroad belongs the honor of first using an American engine in the regular service. — Bibliography: William H. Browne, *First Locomotives in America;* Channing and Hart, *Guide*, § 180.

IN the beginning, no one dreamed of steam upon the road. Horses were to do the work; and even after the line was completed to Frederick, relays of horses trotted the cars from place to place. . . .

. . . To ride in a railroad car in those days was, literally, to go thundering along, the roll of the wheels on the combined rail of stone and iron being almost deafening. . . .

When steam made its appearance on the Liverpool and Manchester Railroad it attracted great attention here. But there was this difficulty about introducing an English engine on an American road. An English road was virtually a straight road. An American road had curves sometimes of as small radius as two hundred feet. . . . For a brief season it was believed that this feature of the early American roads would prevent the use of locomotive engines. The contrary was demonstrated by a gentleman still living in an active and ripe old age, honored and beloved, distinguished for his private worth and for his public benefactions; one of those to whom wealth seems to have been granted by Providence that men might know how wealth could be used to benefit one's fellow-creatures. The speaker refers to Mr. Peter Cooper of New York. Mr. Cooper was satisfied that steam might be adapted to the curved roads which he saw would be built in the United States;

and he came to Baltimore, which then possessed the only one on which he could experiment, to vindicate his belief. He had another idea, which was, that the crank could be dispensed with in the change from a reciprocating to a rotary motion: and he built an engine to demonstrate both articles of his faith. The machine was not larger than the hand cars used by workmen to transfer themselves from place to place; and as the speaker now recalls its appearance, the only wonder is, that so apparently insignificant a contrivance should ever have been regarded as competent to the smallest results. But Mr. Cooper was wiser than many of the wisest around him. His engine could not have weighed a ton; but he saw in it a principle which the forty-ton engines of to-day have but served to develop and demonstrate.

The boiler of Mr. Cooper's engine was not as large as the kitchen boiler attached to many a range in modern mansions. It was of about the same diameter, but not much more than half as high. It stood upright in the car, and was filled, above the furnace, which occupied the lower section, with vertical tubes. The cylinder was but three-and-a-half inches in diameter, and speed was gotten up by gearing. No natural draught could have been sufficient to keep up steam in so small a boiler; and Mr. Cooper used therefore a blowing-apparatus, driven by a drum attached to one of the car wheels, over which passed a cord that in its turn worked a pulley on the shaft of the blower. . . .

Mr. Cooper's success was such as to induce him to try a trip to Ellicott's Mills; and an open car, the first used upon the road, already mentioned, having been attached to his engine, and filled with the directors and some friends, the speaker among the rest, the first journey by steam in America was commenced. The trip was most interesting. The curves were passed without difficulty at a speed of fifteen miles an hour; the grades were ascended with comparative ease; the day was fine, the company in the highest spirits, and some excited gentlemen of the party pulled out memorandum books, and when at the highest speed, which was eighteen miles an hour, wrote their names and some connected sentences, to prove that even at that great velocity it was possible to do so. The return trip from the Mills — a distance of thirteen miles — was made in fifty-seven minutes. This was in the summer of 1830.

But the triumph of this Tom Thumb engine was not altogether without a drawback. The great stage proprietors of the day were Stockton & Stokes; and on this occasion a gallant gray of great beauty and power

was driven by them from town, attached to another car on the second track — for the Company had begun by making two tracks to the Mills — and met the engine at the Relay House on its way back. From this point it was determined to have a race home; and, the start being even, away went horse and engine, the snort of the one and the puff of the ther keeping time and tune. At first the gray had the best of it, for *iis* steam would be applied to the greatest advantage on the instant, while the engine had to wait until the rotation of the wheels set the blower to work. The horse was perhaps a quarter of a mile ahead when the safety valve of the engine lifted and the thin blue vapor issuing from it showed an excess of steam. The blower whistled, the steam blew off in vapory clouds, the pace increased, the passengers shouted, the engine gained on the horse, soon it lapped him — the silk was plied — the race was neck and neck, nose and nose — then the engine passed the horse, and a great hurrah hailed the victory. But it was not repeated; for just at this time, when the gray's master was about giving up, the band which drove the pulley, which drove the blower, slipped from the drum, the safety valve ceased to scream, and the engine for want of breath began to wheeze and pant. In vain Mr. Cooper, who was his own engineman and fireman, lacerated his hands in attempting to replace the band upon the wheel: in vain he tried to urge the fire with light wood; the horse gained on the machine, and passed it; and although the band was presently replaced, and steam again did its best, the horse was too far ahead to be overtaken, and came in the winner of the race. But the real victory was with Mr. Cooper, notwithstanding. He had held fast to the faith that was in him, and had demonstrated its truth beyond peradventure. All honor to his name. . . . In the Musée d'Artillerie at Paris there are preserved old cannon, cotemporary almost with Crecy and Poictiers. In some great museum of internal improvement, and some such will at some future day be gotten up, Mr. Peter Cooper's boiler should hold an equally prominent and far more honored place; for while the old weapons of destruction were ministers of man's wrath, the contrivance we have described was one of the most potential instruments in making available, in America, that vast system which unites remote peoples and promotes that peace on earth and good will to men which angels have proclaimed.

John H. B. Latrobe, *The Baltimore and Ohio Railroad: Personal Recollections* (Baltimore, [1868]), 12–18 *passim.*

166. Boat, Stage, Railroad, and Canal (1832–1833)

BY FRANCES ANNE KEMBLE

Fanny Kemble, the English actress, made her first appearance on the American stage in 1832, and met with great success. She played in different cities in the United States during two years, and published a journal of her impressions of American life. The book is spirited and clever, though somewhat deficient in maturity of judgment. The starting-point of the journey here described was New York. — Bibliography: Channing and Hart, *Guide*, § 180.

. . . THE steamboat was very large and commodious as all these conveyances are. . . . These steamboats have three stories; the upper one is, as it were, a roofing or terrace on the leads of the second, a very desirable station when the weather is neither too foul, nor too fair; a burning sun being, I should think, as little desirable there, as a shower of rain. The second floor or deck, has the advantage of the ceiling above, and yet, the sides being completely open, it is airy, and allows free sight of the shores on either hand. Chairs, stools, and benches, are the furniture of these two decks. The one below, or third floor, downwards, in fact, the *ground floor*, being the one near the water, is a spacious room completely roofed and walled in, where the passengers take their meals, and resort if the weather is unfavourable. At the end of this room, is a smaller cabin for the use of the ladies, with beds and sofa, and all the conveniences necessary, if they should like to be sick; whither I came and slept till breakfast time. Vigne's account of the pushing, thrusting, rushing, and devouring on board a western steamboat at meal times, had prepared me for rather an awful spectacle; but this, I find, is by no means the case in these more civilized parts, and everything was conducted with perfect order, propriety, and civility. The breakfast was good, and served, and eaten, with decency enough. . . . At about half past ten, we reached the place where we leave the river, to proceed across a part of the State of New Jersey, to the Delaware. . . . Oh, these coaches! English eye hath not seen, English ear hath not heard, nor hath it entered into the heart of Englishman to conceive the surpassing clumsiness and wretchedness of these leathern inconveniences. They are shaped something like boats, the sides being merely leathern pieces, removable at pleasure, but which, in bad weather, are buttoned down to protect the inmates from the wet. There are three seats in this machine; the middle one, having a moveable leathern strap, by way of adossier, runs between the carriage doors, and lifts away, to permit the egress and

ingress of the occupants of the other seats. . . . For the first few minutes, I thought I must have fainted from the intolerable sensation of smothering which I experienced. However, the leathers having been removed, and a little more air obtained, I took heart of grace, and resigned myself to my fate. Away wallopped the four horses, trotting with their front, and galloping with their hind legs: and away went we after them, bumping, thumping, jumping, jolting, shaking, tossing and tumbling, over the wickedest road, I do think, the cruellest, hard-heartedest road, that ever wheel rumbled upon. Through bog and marsh, and ruts, wider and deeper than any christian ruts I ever saw, with the roots of trees protruding across our path, their boughs every now and then giving us an affectionate scratch through the windows; and, more than once, a half-demolished trunk or stump lying in the middle of the road lifting us up, and letting us down again, with most awful variations of our poor coach body from its natural position. Bones of me! what a road! Even my father's solid proportions could not keep their level, but were jerked up to the roof and down again every three minutes. Our companions seemed nothing dismayed by these wondrous performances of a coach and four, but laughed and talked incessantly, the young ladies, at the very top of their voices, and with the national nasal twang. . . . The few cottages and farm-houses which we passed, reminded me of similar dwellings in France and Ireland; yet the peasantry here have not the same excuse for disorder and dilapidation, as either the Irish or French. The farms had the same desolate, untidy, untended look; the gates broken, the fences carelessly put up, or ill repaired; the farming utensils sluttishly scattered about a littered yard, where the pigs seemed to preside by undisputed right; house-windows broken, and stuffed with paper or clothes; dishevelled women, and barefooted, anomalous looking human young things. None of the stirring life and activity which such places present in England and Scotland; above all, none of the enchanting mixture of neatness, order, and rustic elegance and comfort, which render so picturesque the surroundings of a farm, and the various belongings of agricultural labour in my own dear country. The fences struck me as peculiar; I never saw any such in England. They are made of rails of wood placed horizontally, and meeting at obtuse angles, so forming a zig-zag wall of wood, which runs over the country like the herring-bone seams of a flannel petticoat. At each of the angles, two slanting stakes, considerably higher than the rest of the fence, were driven into the ground, crossing each other at the top, so as to secure the horizontal

rails in their position. . . . At the end of fourteen miles we turned into a swampy field, the whole fourteen coachfuls of us, and by the help of heaven, bag and baggage were packed into the coaches which stood on the rail-way ready to receive us. The carriages were not drawn by steam, like those on the Liverpool rail-way, but by horses, with the mere advantage in speed afforded by the iron ledges, which, to be sure, compared with our previous progress through the ruts, was considerable. Our coachful got into the first carriage of the train, escaping, by way of especial grace, the dust which one's predecessors occasion. This vehicle had but two seats, in the usual fashion; each of which held four of us. The whole inside was lined with blazing scarlet leather, and the windows *shaded* with stuff curtains of the same refreshing colour; which with full complement of passengers, on a fine, sunny, American summer's day, must make as pretty a little miniature hell as may be, I should think. . . . This railroad is an infinite blessing; 'tis not yet finished, but shortly will be so, and then the whole of that horrible fourteen miles will be performed in comfort and decency, in less than half the time. In about an hour and a half, we reached the end of our rail-road part of the journey, and found another steamboat waiting for us, when we all embarked on the Delaware. . . . At about four o'clock, we reached Philadelphia, having performed the journey between that and New York (a distance of a hundred miles,) in less than ten hours, in spite of bogs, ruts, and all other impediments. . . .

. . . We proceeded by canal to Utica, which distance we performed in a day and a night, starting at two from Schenectady, and reaching Utica the next day at about noon. I like travelling by the canal boats very much. Our's was not crowded, and the country through which we passed being delightful, the placid moderate gliding through it, at about four miles and a half an hour, seemed to me infinitely preferable to the noise of wheels, the rumble of a coach, and the jerking of bad roads, for the gain of a mile an hour. The only nuisances are the bridges over the canal, which are so very low, that one is obliged to prostrate oneself on the deck of the boat, to avoid being scraped off it; and this humiliation occurs, upon an average, once every quarter of an hour. . . .

The valley of the Mohawk, through which we crept the whole sunshining day, is beautiful from beginning to end; fertile, soft, rich, and occasionally approaching sublimity and grandeur, in its rocks and hanging woods. We had a lovely day, and a soft blessed sunset, which, just as we came to a point where the canal crosses the river, and where the curved and

wooded shores on either side recede, leaving a broad smooth basin, threw one of the most exquisite effects of light and color, I ever remember to have seen, over the water, and through the sky. . . . We sat in the men's cabin until they began making preparations for bed, and then withdrew into a room about twelve feet square, where a whole tribe of women were getting to their beds. Some half undressed, some brushing, some curling, some washing, some already asleep in their narrow cribs, but all within a quarter of an inch of each other: it made one shudder. . . .

. . . At Utica we dined; and after dinner I slept profoundly. The gentlemen, I believe, went out to view the town, which, twenty years ago, *was not*, and now is a flourishing place, with fine-looking shops, two or three hotels, good broad streets, and a body of lawyers, who had a supper at the house where we were staying, and kept the night awake with champagne, shouting, toasts, and clapping of hands: so much for the strides of civilization through the savage lands of this new world. . . .

Frances Anne Butler, *Journal* (Philadelphia, 1835), I, 128–11, 186 *passim*.

167. Delights of Travel (1842)

BY CHARLES DICKENS

Dickens, the English novelist, visited the United States for the first time in 1842, and, following the universal custom of travellers of that period in America, he published his impressions. If allowance be made for some proneness to exaggerate, the extract below is a good description of the discomforts of travel south of Mason and Dixon's line. The journey here described began at Washington. — Bibliography: Channing and Hart, *Guide*, § 180.

WE were to proceed in the first instance by steamboat: and as it is usual to sleep on board, in consequence of the starting-hour being four o'clock in the morning, we went down to where she lay, at that very uncomfortable time for such expeditions when slippers are most valuable, and a familiar bed, in the perspective of an hour or two, looks uncommonly pleasant. . . .

I go on board . . . open the door of the gentlemen's cabin; and walk in. Somehow or other — from its being so quiet I suppose — I have taken it into my head that there is nobody there. To my horror and amazement it is full of sleepers in every stage, shape, attitude, and

variety of slumber: in the berths, on the chairs, on the floors, on the tables, and particularly round the stove, my detested enemy. I take another step forward, and slip upon the shining face of a black steward, who lies rolled in a blanket on the floor. He jumps up, grins, half in pain and half in hospitality; whispers my own name in my ear; and groping among the sleepers, leads me to my berth. Standing beside it, I count these slumbering passengers, and get past forty. There is no use in going further, so I begin to undress. As the chairs are all occupied, and there is nothing else to put my clothes on, I deposit them upon the ground: not without soiling my hands, for it is in the same condition as the carpets in the Capitol, and from the same cause. Having but partially undressed, I clamber on my shelf, and hold the curtain open for a few minutes while I look round on all my fellow travellers again. That done, I let it fall on them, and on the world: turn round: and go to sleep.

I wake, of course, when we get under weigh, for there is a good deal of noise. The day is then just breaking. Everybody wakes at the same time. Some are self-possessed directly, and some are much perplexed to make out where they are until they have rubbed their eyes, and leaning on one elbow, looked about them. Some yawn, some groan, nearly all spit, and a few get up. I am among the risers: for it is easy to feel, without going into the fresh air, that the atmosphere of the cabin, is vile in the last degree. I huddle on my clothes, go down into the fore-cabin, get shaved by the barber, and wash myself. The washing and dressing apparatus for the passengers generally, consists of two jack towels, three small wooden basins, a keg of water and a ladle to serve it out with, six square inches of looking-glass, two ditto ditto of yellow soap, a comb and brush for the head, and nothing for the teeth. Everybody uses the comb and brush, except myself. Everybody stares to see me using my own; and two or three gentlemen are strongly disposed to banter me on my prejudices, but don't. When I have made my toilet, I go upon the hurricane-deck, and set in for two hours of hard walking up and down. The sun is rising brilliantly; we are passing Mount Vernon, where Washington lies buried; the river is wide and rapid; and its banks are beautiful. All the glory and splendour of the day are coming on, and growing brighter every minute.

At eight o'clock, we breakfast in the cabin where I passed the night, but the windows and doors are all thrown open, and now it is fresh enough. There is no hurry or greediness apparent in the despatch of

the meal. It is longer than a travelling breakfast with us; more orderly; and more polite.

Soon after nine o'clock we come to Potomac Creek, where we are to land: and then comes the oddest part of the journey. Seven stage-coaches are preparing to carry us on. . . . The coaches are something like the French coaches, but not nearly so good. In lieu of springs, they are hung on bands of the strongest leather. There is very little choice or difference between them; and they may be likened to the car portion of the swings at an English fair, roofed, put upon axle-trees and wheels, and curtained with painted canvas. They are covered with mud from the roof to the wheel-tire, and have never been cleaned since they were first built.

The tickets we have received on board the steamboat are marked No. 1, so we belong to coach No. 1. . . . There is only one outside passenger, and he sits upon the box. As I am that one, I climb up; and while they are strapping the luggage on the roof, and heaping it into a kind of tray behind, have a good opportunity of looking at the driver.

He is a negro — very black indeed. . . . But somebody in authority cries "Go ahead!" as I am making these observations. The mail takes the lead in a four-horse wagon, and all the coaches follow in procession: headed by No. 1.

By the way, whenever an Englishman would cry "All right!" an American cries "Go ahead!" which is somewhat expressive of the national character of the two countries.

The first half mile of the road is over bridges made of loose planks laid across two parallel poles, which tilt up as the wheels roll over them; and IN the river. The river has a clayey bottom and is full of holes, so that half a horse is constantly disappearing unexpectedly, and can't be found again for some time.

But we get past even this, and come to the road itself, which is a series of alternate swamps and gravel-pits. A tremendous place is close before us, the black driver rolls his eyes, screws his mouth up very round, and looks straight between the two leaders, as if he were saying to himself, "we have done this often before, but *now* I think we shall have a crash." He takes a rein in each hand; jerks and pulls at both; and dances on the splashboard with both feet (keeping his seat, of course) like the late lamented Ducrow on two of his fiery coursers. We come to the spot, sink down in the mire nearly to the coach windows, tilt on one side at an angle of forty-five degrees, and stick there. The insides

scream dismally; the coach stops; the horses flounder; all the other six coaches stop; and their four-and-twenty horses flounder likewise: but merely for company, and in sympathy with ours. Then the following circumstances occur.

BLACK DRIVER (to the horses). "Hi!"

Nothing happens. Insides scream again.

BLACK DRIVER (to the horses). "Ho!"

Horses plunge, and splash the black driver.

GENTLEMAN INSIDE (looking out). "Why, what on airth ——"

Gentleman receives a variety of splashes and draws his head in again, without finishing his question or waiting for an answer.

BLACK DRIVER (still to the horses). "Jiddy! Jiddy!"

Horses pull violently, drag the coach out of the hole, and draw it up a bank; so steep, that the black driver's legs fly up into the air, and he goes back among the luggage on the roof. But he immediately recovers himself, and cries (still to the horses),

"Pill!"

No effect. On the contrary, the coach begins to roll back upon No. 2, which rolls back upon No. 3, which rolls back upon No. 4, and so on, until No. 7 is heard to curse and swear, nearly a quarter of a mile behind.

BLACK DRIVER (louder than before). "Pill!"

Horses make another struggle to get up the bank, and again the coach rolls backward.

BLACK DRIVER (louder than before). "Pe-e-e-ill!"

Horses make a desperate struggle.

BLACK DRIVER (recovering spirits). "Hi, Jiddy, Jiddy, Pill!"

Horses make another effort.

BLACK DRIVER (with great vigour). "Ally Loo! Hi. Jiddy, Jiddy. Pill. Ally Loo!"

Horses almost do it.

BLACK DRIVER (with his eyes starting out of his head). "Lee, den. Lee, dere. Hi. Jiddy, Jiddy. Pill. Ally Loo. Lee-e-e-e-e!"

They run up the bank, and go down again on the other side at a fearful pace. It is impossible to stop them, and at the bottom there is a deep hollow, full of water. The coach rolls frightfully. The insides scream. The mud and water fly about us. The black driver dances like a madman. Suddenly we are all right by some extraordinary means, and stop to breathe.

A black friend of the black driver is sitting on a fence. The black

driver recognises him by twirling his head round and round like a harlequin, rolling his eyes, shrugging his shoulders, and grinning from ear to ear. He stops short, turns to me, and says:

"We shall get you through sa, like a fiddle, and hope a please you when we get you through sa. Old 'ooman at home sir:" chuckling very much. "Outside gentleman sa, he often remember old 'ooman at home sa," grinning again.

"Aye, aye, we'll take care of the old woman. Don't be afraid."

The black driver grins again, but there is another hole, and beyond that, another bank, close before us. So he stops short: cries (to the horses again) "Easy. Easy den. Ease. Steady. Hi. Jiddy. Pill. Ally. Loo," but never "Lee!" until we are reduced to the very last extremity, and are in the midst of difficulties, extrication from which appears to be all but impossible.

And so we do the ten miles or thereabouts in two hours and a half; breaking no bones, though bruising a great many; and in short getting through the distance, "like a fiddle."

This singular kind of coaching terminates at Fredericksburgh, whence there is a railway to Richmond. . . .

Charles Dickens, *American Notes for General Circulation* (London, 1842), II 3–15 *passim*.

168. First Telegraph Line (1844)

BY SAMUEL FINLEY BREESE MORSE (1866)

Morse, the inventor of the electro-magnetic telegraph in America, was the son of Jedidiah Morse (see No. 41 above). He was an artist by profession, and a ready writer on controversial topics, but his fame rests upon his invention. His right to the discovery was attacked, and he labored for many years in defending his patent, and even his honor and integrity; but all his claims were finally established. His system has never been superseded, and is now employed upon most of the telegraph lines of the world. The invention brought him many honors at home and abroad. This account of the inauguration of the telegraph was written for Bishop Stevens of Pennsylvania, at the latter's request. — For Morse, see S. I. Prime, *S. F. B. Morse.* — Bibliography: Gustav May, *Bibliography of Electricity and Magnetism*, Index, under "Telegraphy."

PARIS, *November*, 1866.

. . . I HAD spent at Washington two entire sessions of Congress, one in 1837–'38, the other in 1842–'43, in the endeavor so far to interest the Government in the novel Telegraph as to furnish me

with the means to construct a line of sufficient length to test its practicability and utility.

The last days of the last session of that Congress were about to close. A bill appropriating thirty thousand dollars for my purpose had passed the House, and was before the Senate for concurrence, waiting its turn on the calendar. On the last day of the session (3d of March, 1843), I had spent the whole day and part of the evening in the Senate-chamber, anxiously watching the progress of the passing of the various bills, of which there were, in the morning of that day, over one hundred and forty to be acted upon, before the one in which I was interested would be reached; and a resolution had a few days before been passed, to proceed with the bills on the calendar in their regular order, forbidding any bill to be taken up out of its regular place. As evening approached, there seemed to be but little chance that the Telegraph Bill would be reached before the adjournment, and consequently I had the prospect of the delay of another year, with the loss of time, and all my means already expended. In my anxiety, I consulted with two of my senatorial friends — Senator Huntington, of Connecticut, and Senator Wright, of New York — asking their opinion of the probability of reaching the bill before the close of the session. Their answers were discouraging, and their advice was to prepare myself for disappointment. In this state of mind I retired to my chamber, and made all my arrangements for leaving Washington the next day. Painful as was this prospect of renewed disappointment, you, my dear sir, will understand me when I say that, knowing from experience whence my help must come in any difficulty, I soon disposed of my cares, and slept as quietly as a child.

In the morning, as I had just gone into the breakfast-room, the servant called me out, announcing that a young lady was in the parlor, wishing to speak with me. I was at once greeted with the smiling face of my young friend, the daughter of my old and valued friend and classmate, the Hon. H. L. Ellsworth, the Commissioner of Patents. On expressing my surprise at so early a call, she said, "I have come to congratulate you." "Indeed, for what?" "On the passage of your bill." "Oh, no, my young friend, you are mistaken; I was in the Senate-chamber till after the lamps were lighted, and my senatorial friends assured me there was no chance for me." "But," she replied, "it is you that are mistaken. Father was there at the adjournment, at midnight, and saw the President put his name to your bill; and I asked father if I might come and tell you, and he gave me leave. Am I the

first to tell you?" The news was so unexpected that for some moments I could not speak. At length I replied: "Yes, Annie, you are the first to inform me; and now I am going to make you a promise: the first dispatch on the completed line from Washington to Baltimore shall be yours." "Well," said she, "I shall hold you to your promise."

In about a year from that time, the line from Washington to Baltimore was completed. I was in Baltimore when the wires were brought into the office, and attached to the instrument. I proceeded to Washington, leaving word that no dispatch should be sent through the line until I had sent one from Washington. On my arrival there, I sent a note to Miss Ellsworth, announcing to her that every thing was ready, and I was prepared to fulfill my promise of sending the first dispatch over the wires, which she was to indite. The answer was immediately returned. The dispatch was, "*What hath God wrought!*" It was sent to Baltimore, and repeated to Washington, and the strip of paper upon which the telegraphic characters are printed, was claimed by Governor Seymour, of Hartford, Connecticut, then a member of the House, on the ground that Miss Ellsworth was a native of Hartford. It was delivered to him by Miss Ellsworth, and is now preserved in the archives of the Hartford Museum, or Athenæum.

I need only add that no words could have been selected more expressive of the disposition of my own mind at that time, to ascribe all the honor to Him to whom it truly belongs.

Samuel Irenæus Prime, *The Life of Samuel F. B. Morse* (New York, 1875), 495–496.

PART IX

SLAVERY AND ABOLITION

CHAPTER XXVI — ACTUAL CONDITIONS OF SLAVERY

169. A Southern Debate on Slavery (1829)

BY THE VIRGINIA CONSTITUTIONAL CONVENTION

Virginia felt the general demand for freer suffrage that pervaded the nation after the War of 1812, and the convention held in that state in 1829–30 was noted for the famous men who participated in the deliberations. Owing to the greater increase of population in the western part of the state, where very few slaves were held, an increased franchise would endanger the control which the slaveholders exercised over legislation. Hence slavery entered largely, although indirectly, into the debates of the convention. — Bibliography, Channing and Hart, *Guide*, § 186.

[Mr. MONROE.] WHAT has been the leading spirit of this State, ever since our independence was obtained? She has always declared herself in favour of the equal rights of man. The revolution was conducted on that principle. Yet there was at that time, a slavish population in Virginia. We hold it in the condition in which the revolution found it, and what can be done with this population? If they were extinct, or had not been here, white persons would occupy their place, and perform all the offices now performed by them, and consequently, be represented. If the white people were not taxed, they also would be free from taxation. If you set them free, look at the condition of the society. Emancipate them, and what would be their condition? Four hundred thousand, or a greater number of poor, without one cent of property, what would become of them? Disorganization would follow, and perfect confusion. They are separated from the rest of society, by a different colour; there can be no intercourse or equality between them; nor can you remove them. How is it practicable? The thing

is impossible, and they must remain as poor, free from the controul of their masters, and must soon fall upon the rest of the society, and resort to plunder for subsistence. As to the practicability of emancipating them, it can never be done by the State itself, nor without the aid of the Union. And what would be their condition, supposing they were emancipated, and not removed beyond the limits of the Union? The experiment has in part been tried. They have emigrated to Pennsylvania in great numbers, and form a part of the population of Philadelphia, and likewise of New-York and Boston. But those who were the most ardent advocates of emancipation, in those portions of the Union, have become shocked at the charges of maintaining them, as well as at the effect of their example. Nay, Sir, look at Ohio, and what has she recently done? Ohio acknowledges the equal rights of all, yet she has driven them off from her territory. She has been obliged to do it. If emancipation be possible, I look to the Union to aid in effecting it.

Sir, what brought us together in the revolutionary war? It was the doctrine of equal rights. Each part of the country, encouraged and supported every other part of it. None took advantage of the other's distresses. And if we find that this evil has preyed upon the vitals of the Union, and has been prejudicial to all the States, where it has existed, and is likewise repugnant to their several State Constitutions, and Bills of Rights, why may we not expect, that they will unite with us, in accomplishing its removal? If we make the attempt and cannot accomplish it, the effect will at least, be to abate the great number of petitions and memorials, which are continually pouring in upon the Government. This matter is before the nation, and the principles, and consequences, involved in it, are of the highest importance. . . .

[Mr. Leigh.] But it is not a consideration of this vital power of taxation alone, which should impel us of the East, to resist, to the bitter end, this transfer of power to the West. There may be unjust legislation, as well as oppressive taxation. Our slave property is a subject, in the management of which, the owners cannot admit any interference, without the extremest danger. It seems to be supposed, in the United States and in Great Britain too, that those who possess the least portion of that kind of property, are better entitled, and more competent to manage it, than those who have the most; and by parity of reason, those who hold none, have the very best title, and the greatest degree of competency, to the management of it. Upon this principle it is, that Mr. Wilberforce, and the party of the Saints in England, insist on taking

the regulation of the slave property in the West Indies into *their* hands, against the earnest remonstrances of the planters to whom it belongs. So, the statesmen of the Northern States, fancy themselves better acquainted with the subject, than those of the South; and our brethren of the Northern part of this State, claim greater fitness for the task, than their fellow-citizens of the Southern counties. The gentleman from Hampshire, (Mr. Naylor,) thinks, that slavery is one of the causes of the decline of Virginia; and I suppose he would be ready to promote her prosperity, by removing this cause of her decline ——

(Mr. Naylor rose, and denied the inference which the gentleman had drawn, from any thing which he had said. He deprecated the idea which had been suggested, as to the emancipation of the slaves. And he took occasion further to state, that he considered it perfectly consistent with the principles of morality and justice, situated as we are, to hold them as we now do.)

Mr. Leigh — The gentleman from Hampshire is advanced in years, and may not change his sentiments – but, when Mr. Wilberforce proposed to abolish the *slave trade*, he did not imagine, that he should ever find it wise to abolish *slavery* in the West Indies: — When men's minds once take this direction, they pursue it as steadily, as man pursues his course to the grave.

Sir, the venerable gentleman from Loudoun (Mr. Monroe) spoke of the impracticability of any scheme of emancipation, without the aid of the General Government. Is he, then, and if *he* is, are *we* reconciled to the idea of the interference of the General Government in this most delicate and peculiar interest of our own? What right can that Government have to interfere in it?

(Mr. Monroe here explained. . . . I did not mean to convey the idea that the United States should interfere, of right, as is advocated by many. I meant to suggest, that if the wisdom of Virginia should decide that it was practicable, and invite the aid of the General Government, that it should then be afforded at her instance, and not that of the United States, as having the least authority in the matter.)

Mr. Leigh — I thank the gentleman for his explanation. And now, will he give me leave to propound to him one question — Whether, with his knowledge and experience of the operations of the General Government, he does not know, that if once it be allowed, that that Government *may* constitutionally interfere at the instance of the State, it will not be inferred, that it *can* constitutionally interfere without any instance of the

State Government? The moment such an attempt shall be, there will, there must be, an end of this Union. . . .

[Mr. Moore.] Having expressed my belief that our slaves are by nature equally as free and independent as ourselves, or in other words, that they are by nature, entitled to equal rights and privileges, it may not be improper, that I should make one or two remarks, which though they have no immediate bearing upon the question before us, may serve to prevent any misapprehension of my sentiments upon a subject of such vital importance to this State as that of slavery. I give it then, as my deliberate opinion, that although our slaves are by nature, entitled to equal rights with the rest of the human race, and although it would be both our interest and our duty to send them out from amongst us, if any practicable scheme could be suggested for effecting that object; that yet, all questions as to their rights, are questions between them and ourselves exclusively. It is moreover my opinion, that if the necessity of the case does not furnish a sufficient excuse for our retaining them in servitude, (as I hope it does,) that we are answerable for our injustice towards them, only to our own consciences, and to the Great God of all: and that no foreign people or power, have a right in any manner, under any circumstances, or under any pretence, to interfere between them and us. And so far do I carry my ideas of exclusive right, upon this subject, that if the majority of the people of Virginia, or of their representatives, were to determine to reduce all the free negroes amongst us to a state of slavery, although the proposition in itself would be most abhorrent to my feelings; yet I should regard myself as a traitor to my country, if I did not resist by all the means in my power, any attempt which might be made, on the part of any other people, to interfere. . . .

[Mr. Johnson.] Let it be once openly avowed and adopted as a principle of your Constitution, that the price which the Western people must pay for the protection of your slaves, is the surrender of their power in the Government, and you render that property hateful to them in the extreme, and hold out to them the strongest of all possible temptations to make constant war upon it, to render it of no value to you, and to induce you to part with it. A large district of your country, marked out by a geographical line, containing a large minority of the freemen of the country, and expected soon to contain the majority; having a large representation in both branches of your Legislature, where its voice can be constantly heard, and its complaints will be perpetually poured forth; this district is to be placed under the ban of the

Empire, and its people to be told, that your slaves exclude them from the pale of authority. I will not say, you will madden them into acts of violence or disloyalty, by such a measure — I believe it not — the people of the West, though zealous and persevering in pursuit of their rights, are in general an industrious and contented people, as obedient to the law, as prudent and as loyal as any people under the sun. But will you not make them zealots on that subject, on which your right of property depends, and which is so intimately connected with your domestic peace? Will you not drive them to seek allies among your own people, associates in the measures, which are necessary to remove the obstacle that stands in their road to power?

Unless I am deceived, very grossly deceived, Mr. Chairman, they would find many and ardent auxiliaries, in the bosom of your own society. How many are there, who owning none of this property, and doomed to the laborious offices of life, feel a sort of degradation in being compelled to perform them in common with the slave, and a sentiment of envy towards their owners? How many who professing conscientious scruples, are even now continually propagating doctrines, which tend to insubordination? . . .

[Mr. Stanard.] . . . The property we seek to protect, not merely serves the uses of man, but itself supplies the place of men. Its value does not consist in consumption — it is not mere brute matter, contributing to the comfort and ornament of life, but it consists of intelligent, sentient, responsible beings, that have passions to be inflamed, hearts to feel, understandings to be enlightened, and who are capable of catching the flame of enthusiasm, from the eloquent effusions of agitators, if not here, at least in other parts of the State: and who may not only be lost to their masters as property, but may change conditions, and become masters themselves; so far, at least, as the ravages of a servile war shall have [leave?] any subject to be ruled over. These are the dangers which necessarily belong to the existence of this species of property within our borders. Are these considerations to have no weight? Will gentlemen still consider our slaves as mere brute matter? Will they shut their eyes to the fact, that there are and will continue to be political missionaries, who, with malignant purposes, or under the stimulation of a misguided philanthropy, industriously spread a contagion which no power may be able to arrest? Shall we shut our eyes and ears to all experience? Nothing is so easily propagated as such enthusiasm, when it comes with all the force of an apparent respect for

human right, and a spirit of general philanthropy. Sir, is this the day when such principles will not be propagated? Are the people of the South so steady, as to be impregnably shielded against the sway of such a spirit? Can any gentleman look to the recent history of this country, and say that there are not some feelings, which, under the impulse of enthusiasm, may pass with the rapidity of lightning across the whole extent of this Union?

. . . Sir, I dread not the vices of my brethren, but opinions that to them have the show of virtue. I fear not their meditated wrong, but their misguided philanthropy. . . .

. . . Is it necessary for me to tell this Assembly, that in regard to these interests, respect is to be had to legislation which affects it even as property? That a wise regard to interests and feelings of the Eastern part of the State, present an irresistible claim on our brethren of the West, not to push their theories so as to take away from us the power to govern our slaves, and make laws of police for them? By the transit of power to hands not acquainted with our situation and dangers, and shielded by a barrier of mountains, who have no fears to sharpen their intellect to the approach of evil, and who know not how to adapt laws to the wants, the condition, the feelings, and the passions of the slaves in regard to those who retain them in bondage, interests, not of property merely, but of life itself, are implicated; these, and all their dearest connexions.

Proceedings and Debates of the Virginia State Convention, of 1829–30 (Richmond, 1830), 149–307 *passim*.

170. Life with a Slave-Breaker (1833)

BY FREDERICK DOUGLASS (1845)

Douglass was the most conspicuous of the fugitive slaves. He was a mulatto, and had learned to read and write before he escaped from bondage. He became a noted traveller and lecturer under the auspices of the American Anti-Slavery Society, by his eloquence and vivid pictures of slave life attracting much attention in America and abroad. After the Civil War he held several political and governmental offices. — Bibliography as in No. 169 above.

MASTER THOMAS at length said he would stand it no longer. I had lived with him nine months, during which time he had given me a number of severe whippings, all to no good purpose. He resolved to put me out, as he said, to be broken; and, for this purpose,

he let me for one year to a man named Edward Covey. Mr. Covey was a poor man, a farm-renter. He rented the place upon which he lived, as also the hands with which he tilled it. Mr. Covey had acquired a very high reputation for breaking young slaves, and this reputation was of immense value to him. It enabled him to get his farm tilled with much less expense to himself than he could have had it done without such a reputation. Some slaveholders thought it not much loss to allow Mr. Covey to have their slaves one year, for the sake of the training to which they were subjected, without any other compensation. He could hire young help with great ease, in consequence of this reputation. Added to the natural good qualities of Mr. Covey, he was a professor of religion — a pious soul — a member and a class-leader in the Methodist church. All of this added weight to his reputation as a "nigger-breaker." I was aware of all the facts, having been made acquainted with them by a young man who had lived there. I nevertheless made the change gladly; for I was sure of getting enough to eat, which is not the smallest consideration to a hungry man.

I left Master Thomas's house, and went to live with Mr. Covey, on the 1st of January, 1833. I was now, for the first time in my life, a field hand. In my new employment, I found myself even more awkward than a country boy appeared to be in a large city. I had been at my new home but one week before Mr. Covey gave me a very severe whipping, cutting my back, causing the blood to run, and raising ridges on my flesh as large as my little finger. The details of this affair are as follows: Mr. Covey sent me, very early in the morning of one of our coldest days in the month of January, to the woods, to get a load of wood. He gave me a team of unbroken oxen. He told me which was the in-hand ox, and which the off-hand one. He then tied the end of a large rope around the horns of the in-hand ox, and gave me the other end of it, and told me, if the oxen started to run, that I must hold on upon the rope. I had never driven oxen before, and of course I was very awkward. I, however, succeeded in getting to the edge of the woods with little difficulty; but I had got a very few rods into the woods, when the oxen took fright, and started full tilt, carrying the cart against trees, and over stumps, in the most frightful manner. I expected every moment that my brains would be dashed out against the trees. After running thus for a considerable distance, they finally upset the cart, dashing it with great force against a tree, and threw themselves into a dense thicket. How I escaped death, I do not know. There I

was, entirely alone, in a thick wood, in a place new to me. My cart was upset and shattered, my oxen were entangled among the young trees, and there was none to help me. After a long spell of effort, I succeeded in getting my cart righted, my oxen disentangled, and again yoked to the cart. I now proceeded with my team to the place where I had, the day before, been chopping wood, and loaded my cart pretty heavily, thinking in this way to tame my oxen. I then proceeded on my way home. I had now consumed one half of the day. I got out of the woods safely, and now felt out of danger. I stopped my oxen to open the woods gate; and just as I did so, before I could get hold of my ox-rope, the oxen again started, rushed through the gate, catching it between the wheel and the body of the cart, tearing it to pieces, and coming within a few inches of crushing me against the gate-post. Thus twice, in one short day, I escaped death by the merest chance. On my return, I told Mr. Covey what had happened, and how it happened. He ordered me to return to the woods again immediately. I did so, and he followed on after me. Just as I got into the woods, he came up and told me to stop my cart, and that he would teach me how to trifle away my time, and break gates. He then went to a large gum-tree, and with his axe cut three large switches, and, after trimming them up neatly with his pocket-knife, he ordered me to take off my clothes. I made him no answer, but stood with my clothes on. He repeated his order. I still made him no answer, nor did I move to strip myself. Upon this he rushed at me with the fierceness of a tiger, tore off my clothes, and lashed me till he had worn out his switches, cutting me so savagely as to leave the marks visible for a long time after. This whipping was the first of a number just like it, and for similar offences.

I lived with Mr. Covey one year. During the first six months, of that year, scarce a week passed without his whipping me. I was seldom free from a sore back. My awkwardness was almost always his excuse for whipping me. We were worked fully up to the point of endurance. Long before day we were up, our horses fed, and by the first approach of day we were off to the field with our hoes and ploughing teams. Mr. Covey gave us enough to eat, but scarce time to eat it. We were often less than five minutes taking our meals. We were often in the field from the first approach of day till its last lingering ray had left us; and at saving-fodder time, midnight often caught us in the field binding blades.

Covey would be out with us. The way he used to stand it, was this.

He would spend the most of his afternoons in bed. He would then come out fresh in the evening, ready to urge us on with his words, example, and frequently with the whip. Mr. Covey was one of the few slaveholders who could and did work with his hands. He was a hard-working man. He knew by himself just what a man or a boy could do. There was no deceiving him. His work went on in his absence almost as well as in his presence; and he had the faculty of making us feel that he was ever present with us. This he did by surprising us. He seldom approached the spot where we were at work openly, if he could do it secretly. He always aimed at taking us by surprise. Such was his cunning, that we used to call him, among ourselves, "the snake." When we were at work in the cornfield, he would sometimes crawl on his hands and knees to avoid detection, and all at once he would rise nearly in our midst, and scream out, "Ha, ha! Come, come! Dash on, dash on!" This being his mode of attack, it was never safe to stop a single minute. His comings were like a thief in the night. He appeared to us as being ever at hand. He was under every tree, behind every stump, in every bush, and at every window, on the plantation. He would sometimes mount his horse, as if bound to St. Michael's, a distance of seven miles, and in half an hour afterwards you would see him coiled up in the corner of the wood-fence, watching every motion of the slaves. He would, for this purpose, leave his horse tied up in the woods. Again, he would sometimes walk up to us, and give us orders as though he was upon the point of starting on a long journey, turn his back upon us, and make as though he was going to the house to get ready; and, before he would get half way thither, he would turn short and crawl into a fence-corner, or behind some tree, and there watch us till the going down of the sun.

Mr. Covey's *forte* consisted in his power to deceive. His life was devoted to planning and perpetrating the grossest deceptions. Every thing he possessed in the shape of learning or religion, he made conform to his disposition to deceive. He seemed to think himself equal to deceiving the Almighty. He would make a short prayer in the morning, and a long prayer at night; and, strange as it may seem, few men would at times appear more devotional than he. The exercises of his family devotions were always commenced with singing; and, as he was a very poor singer himself, the duty of raising the hymn generally came upon me. He would read his hymn, and nod at me to commence. I would at times do so; at others, I would not. My non-compliance

would almost always produce much confusion. To show himself independent of me, he would start and stagger through with his hymn in the most discordant manner. In this state of mind, he prayed with more than ordinary spirit. Poor man! such was his disposition, and success at deceiving, I do verily believe that he sometimes deceived himself into the solemn belief, that he was a sincere worshipper of the most high God . . .

If at any one time of my life more than another, I was made to drink the bitterest dregs of slavery, that time was during the first six months of my stay with Mr. Covey. We were worked in all weathers. It was never too hot or too cold; it could never rain, blow, hail, or snow, too hard for us to work in the field. Work, work, work, was scarcely more the order of the day than of the night. The longest days were too short for him, and the shortest nights too long for him. I was somewhat unmanageable when I first went there, but a few months of this discipline tamed me. Mr. Covey succeeded in breaking me. I was broken in body, soul, and spirit. My natural elasticity was crushed, my intellect languished, the disposition to read departed, the cheerful spark that lingered about my eye died; the dark night of slavery closed in upon me; and behold a man transformed into a brute!

Narrative of the Life of Frederick Douglass, written by himself (Boston, 1845), 57–63 *passim.*

171. "Condition of the Free People of Color" (1839)

BY JUDGE WILLIAM JAY

Jay was a son of John Jay (see No. 59 above). He was an eminent jurist, an advocate of political, religious, and moral reforms, and an adept in controversial writing. His interest in the anti-slavery movement began with the discussion of the Missouri Compromise (see Nos. 135, 136 above), and he became one of the most famous opponents of the spread of slavery. He was not an abolitionist of the Garrison type, but declared that the Constitution, while it permitted no interference with slavery within the states, gave to the government full power to deal with the domestic slave trade and with slavery in the territories. — For Jay, see Bayard Tuckerman, *William Jay.* — Bibliography as in No. 169 above.

IT appears from the census of 1830, that there were then 319,467 free colored persons in the United States. At the present time the number cannot be less than 360,000. Fifteen States of the Federal

Union have each a smaller population than this aggregate. Hence if the whole mass of human beings inhabiting Connecticut, or New Jersey, or any other of these fifteen States, were subjected to the ignorance and degradation and persecution and terror we are about to describe as the lot of this much-injured people, the amount of suffering would still be numerically less than that inflicted by a professedly Christian and republican community upon the free negroes. . . .

It is not necessary, for our present purpose, to enter into a particular investigation of the condition of the free negroes in the slave States. We all know that they suffer every form of oppression which the laws can inflict upon persons not actually slaves. That unjust and cruel enactments should proceed from a people who keep two millions of their fellow-men in abject bondage, and who believe such enactments essential to the maintenance of their despotism, certainly affords no cause for surprise.

We turn to the free States, where slavery has not directly steeled our hearts against human suffering, and where no supposed danger of insurrection affords a pretext for keeping the free blacks in ignorance and degradation; and we ask, What is the character of the prejudice against color *here*? . . .

With these preliminary remarks we will now . . . consider in order, the various disabilities and oppressions to which they are subjected, either by law or the customs of society.

1. GENERAL EXCLUSION FROM THE ELECTIVE FRANCHISE.

Were this exclusion founded on the want of property, or any other qualification deemed essential to the judicious exercise of the franchise, it would afford no just cause of complaint; but it is founded solely on the color of the skin, and is therefore irrational and unjust. That taxation and representation should be inseparable, was one of the axioms of the fathers of our Revolution, and one of the reasons they assigned for their revolt from the crown of Britain. But *now*, it is deemed a mark of fanaticism to complain of the disfranchisement of a whole race, while they remain subject to the burden of taxation. It is worthy of remark, that of the thirteen original States, only *two* were so recreant to the principles of the Revolution, as to make a *white skin* a qualification for suffrage. But the prejudice has grown with our growth, and strengthened with our strength; and it is believed that in *every* State constitution subsequently formed or revised, (excepting Vermont and Maine, and the

revised constitution of Massachusetts,) the crime of a dark complexion has been punished, by debarring its possessor from all approach to the ballot-box. The necessary effect of this proscription in aggravating the oppression and degradation of the colored inhabitants, must be obvious to all who call to mind the solicitude manifested by demagogues, and office-seekers, and law-makers, to propitiate the good will of all who have votes to bestow. . . .

5. EXCLUSION FROM ALL PARTICIPATION IN THE ADMINISTRATION OF JUSTICE.

No colored man can be a judge, juror, or constable. . . . In the slave States generally, no black man can enter a court of justice as a witness against a white one. Of course a white man may, with perfect impunity, defraud or abuse a negro to any extent, provided he is careful to avoid the presence of any of his own caste, at the execution of his contract, or the indulgence of his malice. We are not aware that an outrage so flagrant is sanctioned by the laws of any *free* State, with one exception. That exception the reader will readily believe can be none other than OHIO. A statute of this State enacts, "that no black or mulatto *person* or *persons* shall hereafter be permitted to be sworn, or give evidence in any court of record or elsewhere, in this State, in any cause depending, or matter of controversy, when either party to the same is a WHITE person; or in any prosecution of the State against any WHITE person." . . .

6. IMPEDIMENTS TO EDUCATION.

No people have ever professed so deep a conviction of the importance of popular education as ourselves, and no people have ever resorted to such cruel expedients to perpetuate abject ignorance. More than one third of the whole population of the slave States are prohibited from learning even to read, and in some of them, free men, if with dark complexions, are subject to stripes for teaching their own children. If we turn to the free States, we find that in all of them, without exception, the prejudices and customs of society oppose almost insuperable obstacles to the acquisition of a liberal education by colored youth. Our academies and colleges are barred against them. We know there are instances of young men with dark skins having been received, under peculiar circumstances, into northern colleges; but we neither know nor believe, that there have been a dozen such instances within the last thirty years.

Colored children are very generally excluded from our common

schools, in consequence of the prejudices of teachers and parents. In some of our cities there are schools *exclusively* for their use, but in the country the colored population is too sparse to justify such schools; and white and black children are rarely seen studying under the same roof; although such cases do sometimes occur, and then they are confined to elementary schools. Some colored young men, who could bear the expense, have obtained in European seminaries the education denied them in their native land.

It may not be useless to cite an instance of the malignity with which the education of the blacks is opposed. The efforts made in Connecticut to prevent the establishment of schools of a higher order than usual for colored pupils, are too well known to need a recital here; and her BLACK ACT, prohibiting the instruction of colored children from other States, although now expunged from her statute book through the influence of abolitionists, will long be remembered to the opprobrium of her citizens. We ask attention to the following illustration of public opinion in another New England State.

In 1834 an academy was built by subscription in CANAAN, New Hampshire, and a charter granted by the Legislature; and at a meeting of the proprietors it was determined to receive all applicants having "suitable moral and intellectual recommendations, without other distinctions;" in other words, without reference to *complexion*. When this determination was made known, a town meeting was forthwith convened, and the following resolutions adopted, viz.:

"Resolved, that we view with *abhorrence* the attempt of the abolitionists to establish in this town a school for the instruction of the sable sons and daughters of Africa, in common with our sons and daughters.

"Resolved, that we will not associate with, nor in any way countenance, any man or woman who shall hereafter persist in attempting to establish a school in this town for the *exclusive* education of blacks, *or* for their education in conjunction with the whites." . . .

The proprietors of the academy supposing, in the simplicity of their hearts, that in a free country they might use their property in any manner not forbidden by law, proceeded to open their school, and in the ensuing spring, had twenty-eight white, and fourteen colored scholars. The crisis had now arrived when the cause of prejudice demanded the sacrifice of constitutional liberty and of private property. Another town meeting was convoked, at which, without a shadow of authority, and in utter contempt of law and decency, it was ordered, that the academy should be forcibly removed, and a committee was appointed to execute

the abominable mandate. Due preparations were made for the occasion, and on the 10th of August, three hundred men with about two hundred oxen, assembled at the place, and taking the edifice from off its foundation, dragged it to a distance, and left it a ruin. No one of the actors in this high-handed outrage was ever brought before a court of justice to answer for this criminal and riotous destruction of the property of others.

The transaction we have narrated expresses in emphatic terms the deep and settled hostility felt in the free States, to the education of the blacks. The prejudices of the community render that hostility generally effective without the aid of legal enactments. Indeed, some remaining regard to decency and the opinion of the world, has restrained the Legislatures of the free States, with *one exception*, from consigning these unhappy people to ignorance by "decreeing unrighteous decrees," and "framing mischief by a law." Our readers, no doubt, feel that the exception must of course be OHIO.

. . . Ohio legislators . . . enacted a law in 1831, declaring that, "when any appropriation shall be made by the directors of any school district, from the treasury thereof, for the payment of a teacher, the school in such district shall be open" — to whom? — "*to scholars, students, and teachers of every grade, without distinction or preference, whatever,*" as commanded by the constitution? Oh no! — "shall be open to all the WHITE children residing therein!" Such is the impotency of written constitutions, where a sense of moral obligation is wanting to enforce them. . . .

10. SUBJECTION TO INSULT AND OUTRAGE.

The feeling of the community towards these people, and the contempt with which they are treated, are indicated by the following notice, lately published by the proprietors of a menagerie, in New York. "The proprietors wish it to be understood, that people of color are not permitted to enter, *except when in attendance upon children and families.*" For two shillings, any white scavenger would be freely admitted, and so would negroes, provided they came in a capacity that marked their dependence; their presence is offensive, *only* when they come as independent spectators, gratifying a laudable curiosity.

Even death, the great leveller, is not permitted to obliterate, among Christians, the distinction of caste, or to rescue the lifeless form of the colored man from the insults of his white brethren. In the porch of a Presbyterian Church, in Philadelphia, in 1837, was suspended a card,

containing the form of a deed, to be given to purchasers of lots in a certain burial ground, and to enhance the value of the property, and to entice buyers, the following clause was inserted: "No person of *color*, nor any one who has been the subject of *execution*, shall be interred in said lot."

Our colored fellow-citizens, like others, are occasionally called to pass from one place to another; and in doing so are compelled to submit to innumerable hardships and indignities. They are frequently denied seats in our stage coaches; and although admitted upon the *decks* of our steamboats, are almost universally excluded from the cabins. Even women have been forced, in cold weather, to pass the night upon deck, and in one instance the wife of a colored clergyman lost her life in consequence of such an exposure.

The contempt poured upon these people by our laws, our churches, our seminaries, our professions, naturally invokes upon their heads the fierce wrath of vulgar malignity. In order to exhibit the actual condition of this portion of our population, we will here insert some *samples* of the outrages to which they are subjected, taken from the ordinary public journals.

In an account of the New York riots of 1834, the *Commercial Advertiser* says:

"About twenty poor African (native American) families, have had their all destroyed, and have neither bed, clothing, nor food remaining. Their houses are completely eviscerated, their furniture a wreck, and the ruined and disconsolate tenants of the devoted houses are reduced to the necessity of applying to the corporation for bread."

The example set in New York was zealously followed in Philadelphia.

"Some arrangement, it appears, existed between the mob and the white inhabitants, as the dwelling-houses of the latter, contiguous to the residences of the blacks, were illuminated and left undisturbed, while the huts of the negroes were singled out with unerring certainty. The furniture found in these houses was generally broken up and destroyed — beds ripped open and their contents scattered in the streets. . . . The number of houses assailed was not less than twenty. . . ." *Philadelphia Gazette.*

"No case is reported of an attack having been *invited* or *provoked* by the residents of the dwellings assailed or destroyed. The extent of the depredations committed on the *three* evenings of riot and outrage can only be judged of by the number of houses damaged or destroyed. So far as ascertained, this amounts to FORTY-FIVE. One of the houses assaulted was occupied by an unfortunate cripple, who, unable to fly from the fury of the mob, was so beaten by some of the ruffians, that he has since died in consequence of the bruises and wounds inflicted. . . ." *National Gazette.*

William Jay, *Miscellaneous Writings on Slavery* (Boston, etc., 1853), 371–394 *passim*.

172. "The Fugitive Slave's Apostrophe to the North Star" (1840)

BY REVEREND JOHN PIERPONT

Pierpont, a New England minister, was a zealous advocate of several reforms, including those of temperance and anti-slavery. He carried his principles into politics, and became a candidate of anti-slavery parties in Massachusetts for governor and also for Congress. In his old age he served as chaplain of a Massachusetts regiment in the Civil War. As a poet he was scholarly and graceful, but given to over-elaboration. — For Pierpont, see *Atlantic Monthly*, XVIII, 650–665. — Bibliography as in No. 169 above.

STAR of the North! though night winds drift
The fleecy drapery of the sky
Between thy lamp and me, I lift,
Yea, lift with hope, my sleepless eye
To the blue heights wherein thou dwellest,
And of a land of freedom tellest.

Star of the North! while blazing day
Pours round me its full tide of light,
And hides thy pale but faithful ray,
I, too, lie hid, and long for night:
For night; — I dare not walk at noon,
Nor dare I trust the faithless moon, —

Nor faithless man, whose burning lust
For gold hath riveted my chain;
Nor other leader can I trust,
But thee, of even the starry train;
For, all the host around thee burning,
Like faithless man, keep turning, turning.

I may not follow where they go:
Star of the North, I look to thee
While on I press; for well I know
Thy light and truth shall set me free; —
Thy light, that no poor slave deceiveth;
Thy truth, that all my soul believeth.

They of the East beheld the star
That over Bethlehem's manger glowed;
With joy they hailed it from afar,
And followed where it marked the road,
Till, where its rays directly fell,
They found the Hope of Israel.

Wise were the men who followed thus
The star that sets man free from sin!
Star of the North! thou art to us, —
Who're slaves because we wear a skin
Dark as is night's protecting wing, —
Thou art to us a holy thing.

And we are wise to follow thee!
I trust thy steady light alone:
Star of the North! thou seem'st to me
To burn before the Almighty's throne,
To guide me, through these forests dim
And vast, to liberty and HIM.

Thy beam is on the glassy breast
Of the still spring, upon whose brink
I lay my weary limbs to rest,
And bow my parching lips to drink.
Guide of the friendless negro's way,
I bless thee for this quiet ray!

In the dark top of southern pines
I nestled, when the driver's horn
Called to the field, in lengthening lines,
My fellows at the break of morn.
And there I lay, till thy sweet face
Looked in upon "my hiding-place."

The tangled cane-brake, — where I crept
For shelter from the heat of noon,
And where, while others toiled, I slept
Till wakened by the rising moon, —
As its stalks felt the night wind free,
Gave me to catch a glimpse of thee.

Star of the North! in bright array
The constellations round thee sweep,
Each holding on its nightly way,
Rising, or sinking in the deep,
And, as it hangs in mid heaven flaming,
The homage of some nation claiming.

This nation to the Eagle cowers;
Fit ensign! she's a bird of spoil;—
Like worships like! for each devours
The earnings of another's toil.
I've felt her talons and her beak,
And now the gentler Lion seek.

The Lion, at the Virgin's feet
Crouches, and lays his mighty paw
Into her lap!—an emblem meet
Of England's Queen and English law:—
Queen, that hath made her Islands free!
Law, that holds out its shield to me!

Star of the North! upon that shield
Thou shinest!—O, for ever shine!
The negro, from the cotton-field,
Shall then beneath its orb recline,
And feed the Lion couched before it,
Nor heed the Eagle screaming o'er it!

John Pierpont, *Airs of Palestine, and other Poems* (Boston, etc., 1840), 305–308.

173. A Cheerful View of Slavery (1841)

BY CHARLES LYELL

For Lyell, see No. 164 above.—Bibliography as in No. 169 above.

RETURNING home to this hospitable mansion in the dusk of the evening of the day following, I was surprised to see, in a grove of trees near the court-yard of the farm, a large wood-fire blazing on the ground. Over the fire hung three cauldrons, filled, as

I afterwards learned, with hog's lard, and three old negro women, in their usual drab-coloured costume, were leaning over the cauldrons, and stirring the lard to clarify it. The red glare of the fire was reflected from their faces, and I need hardly say how much they reminded me of the scene of the witches in Macbeth. Beside them, moving slowly backwards and forwards in a rocking-chair, sat the wife of the overseer, muffled up in a cloak, and suffering from a severe cold, but obliged to watch the old slaves, who are as thoughtless as children, and might spoil the lard if she turned away her head for a few minutes. When I inquired the meaning of this ceremony, I was told it was "killing time," this being the coldest season of the year, and that since I left the farm in the morning thirty hogs had been sacrificed by the side of a running stream not far off. These were destined to serve as winter provisions for the negroes, of whom there were about a hundred on this plantation. To supply all of them with food, clothes, and medical attendants, young, old, and impotent, as well as the able-bodied, is but a portion of the expense of slave-labour. They must be continually superintended by trustworthy whites, who might often perform no small part of the task, and far more effectively, with their own hands. . . .

. . . I left Savannah in the middle of the night. The owner of the property kindly lent me his black servant as a guide, and I found him provided with a passport, without which no slave can go out after dusk. The exact streets through which he was to pass in his way to me were prescribed, and had he strayed from this route he might have been committed to the guard-house. These and other precautionary regulations, equally irksome to the slaves and their masters, are said to have become necessary after an insurrection brought on by abolitionist missionaries, who are spoken of here in precisely the same tone as incendiaries, or beasts of prey whom it would be meritorious to shoot or hang. In this savage and determined spirit I heard some planters speak who were mild in their manners, and evidently indulgent to their slaves. Nearly half the entire population of this state are of the coloured race, who are said to be as excitable as they are ignorant. Many proprietors live with their wives and children quite isolated in the midst of the slaves, so that the danger of any popular movement is truly appalling.

The negroes, so far as I have yet seen them, whether in domestic service or on the farms, appear very cheerful and free from care, better fed than a large part of the labouring class of Europe; and, though meanly dressed, and often in patched garments, never scantily clothed

for the climate. We asked a woman in Georgia, whether she was the slave of a family of our acquaintance. She replied, merrily, "Yes, I belong to them, and they belong to me." She was, in fact, born and brought up on the estate. . . .

As there were no inns in that part of South Carolina through which we passed in this short tour, and as we were every where received hospitably by the planters, I had many opportunities of seeing their mode of life, and the condition of the domestic and farm slaves. In some rich houses maize, or Indian corn, and rice were entirely substituted for wheaten bread. The usual style of living is that of English country gentlemen. They have well-appointed carriages and horses, and well-trained black servants. The conversation of the gentlemen turned chiefly on agricultural subjects, shooting, and horse-racing. Several of the mansions were surrounded with deer-parks.

Arriving often at a late hour at our quarters in the evening, we heard the negroes singing loudly and joyously in chorus after their day's work was over. On one estate, about forty black children were brought up daily before the windows of the planter's house, and fed in sight of the family, otherwise, we were told, the old women who have charge of them might, in the absence of the parents, appropriate part of their allowance to themselves. All the slaves have some animal food daily. When they are ill, they sometimes refuse to take medicine, except from the hands of the master or mistress; and it is of all tasks the most delicate for the owners to decide when they are really sick, and when only shamming from indolence.

After the accounts I had read of the sufferings of slaves, I was agreeably surprised to find them, in general, so remarkably cheerful and light-hearted. It is true that I saw no gangs working under overseers on sugar-plantations, but out of two millions and a half of slaves in the United States, the larger proportion are engaged in such farming occupations and domestic services as I witnessed in Georgia and South Carolina. I was often for days together with negroes who served me as guides, and found them as talkative and chatty as children, usually boasting of their master's wealth, and their own peculiar merits. . . .

During our stay at Charleston, we were present at a negro wedding, where the bride and bridegroom, and nearly all the company, were of unmixed African race. They were very merry. The bride and bridemaids all dressed in white. The marriage service performed by an episcopal clergyman. Not long afterwards, when staying at a farm-

house in North Carolina, I happened to ask a planter if one of his negroes with whom we had been conversing was married. He told me, Yes, he had a wife on that estate, as well as another, her sister, on a different property which belonged to him; but that there was no legal validity in the marriage ceremony. I remarked, that he must be mistaken, as an episcopal minister at Charleston would not have lent himself to the performance of a sacred rite, if it were nugatory in practice, and in the eye of the law. He replied, that he himself was a lawyer by profession, and that no legal validity ever had been, or ought to be, given to the marriage tie, so long as the right of sale could separate parent and child, husband and wife. Such separations, he said, could not always be prevented, when slaves multiplied fast, though they were avoided by the masters as far as possible. He defended the custom of bringing up the children of the same estate in common, as it was far more humane not to cherish domestic ties among slaves.

Charles Lyell, *Travels in North America* (London, 1845), I, 157–184 *passim*.

CHAPTER XXVII — ANTI-SLAVERY AND ABOLITION

174. Statement of Principles (1831)

BY WILLIAM LLOYD GARRISON

Garrison, as the organizer of the American Anti-Slavery Society and editor of the *Liberator*, was the head and front of the abolition cause in New England. He was egotistic, unpractical, uncompromising, courageous, zealous almost to fanaticism, and was roundly hated by the South. Being a non-resistant, he advocated a moral agitation only: he would not vote, repudiated the Constitution, and, diverging from the political reformers, became the leader of an influential class which would extirpate slavery through the force of moral suasion, and which at the same time sanctioned other moral reforms, such as temperance and woman's rights. — For Garrison, see F. J. and W. P. Garrison, *William Lloyd Garrison*. — Bibliography: Channing and Hart, *Guide*, § 187.

TO THE PUBLIC.

IN the month of August, I issued proposals for publishing 'THE LIBERATOR' in Washington city; but the enterprise, though hailed in different sections of the country, was palsied by public indifference. Since that time, the removal of the Genius of Universal Emancipation to the Seat of Government has rendered less imperious the establishment of a similar periodical in that quarter.

During my recent tour for the purpose of exciting the minds of the people by a series of discourses on the subject of slavery, every place that I visited gave fresh evidence of the fact, that a greater revolution in public sentiment was to be effected in the free states — *and particularly in New-England* — than at the south. I found contempt more bitter, opposition more active, detraction more relentless, prejudice more stubborn, and apathy more frozen, than among slave owners themselves. Of course, there were individual exceptions to the contrary. This state of things afflicted, but did not dishearten me. I determined, at every hazard, to lift up the standard of emancipation in the eyes of the nation, *within sight of Bunker Hill and in the birth place of liberty*. That standard is now unfurled; and long may it float, unhurt by the spolia-

tions of time or the missiles of a desperate foe — yea, till every chain be broken, and every bondman set free! Let southern oppressors tremble — let their secret abettors tremble — let their northern apologists tremble — let all the enemies of the persecuted blacks tremble.

I deem the publication of my original Prospectus unnecessary, as it has obtained a wide circulation. The principles therein inculcated will be steadily pursued in this paper, excepting that I shall not array myself as the political partisan of any man. In defending the great cause of human rights, I wish to derive the assistance of all religions and of all parties.

Assenting to the 'self-evident truth' maintained in the American Declaration of Independence, 'that all men are created equal, and endowed by their Creator with certain inalienable rights — among which are life, liberty and the pursuit of happiness,' I shall strenuously contend for the immediate enfranchisement of our slave population. In Park-street Church, on the Fourth of July, 1829, in an address on slavery, I unreflectingly assented to the popular but pernicious doctrine of *gradual* abolition. I seize this opportunity to make a full and unequivocal recantation, and thus publicly to ask pardon of my God, of my country, and of my brethren the poor slaves, for having uttered a sentiment so full of timidity, injustice and absurdity. A similar recantation, from my pen, was published in the Genius of Universal Emancipation at Baltimore, in September, 1829. My conscience is now satisfied.

I am aware, that many object to the severity of my language; but is there not cause for severity? I *will be* as harsh as truth, and as uncompromising as justice. On this subject, I do not wish to think, or speak, or write, with moderation. No! no! Tell a man whose house is on fire, to give a moderate alarm; tell him to moderately rescue his wife from the hands of the ravisher; tell the mother to gradually extricate her babe from the fire into which it has fallen; — but urge me not to use moderation in a cause like the present. I am in earnest — I will not equivocate — I will not excuse — I will not retreat a single inch — AND I WILL BE HEARD. The apathy of the people is enough to make every statue leap from its pedestal, and to hasten the resurrection of the dead.

It is pretended, that I am retarding the cause of emancipation by the coarseness of my invective, and the precipitancy of my measures. *The charge is not true.* On this question my influence, — humble as it is, — is felt at this moment to a considerable extent, and shall be felt in coming years — not perniciously, but beneficially — not as a curse, but as a

blessing; and posterity will bear testimony that I was right. I desire to thank God, that he enables me to disregard 'the fear of man which bringeth a snare,' and to speak his truth in its simplicity and power. And here I close with this fresh dedication:

'Oppression! I have seen thee, face to face,
And met thy cruel eye and cloudy brow;
But thy soul-withering glance I fear not now —
For dread to prouder feelings doth give place
Of deep abhorrence! Scorning the disgrace
Of slavish knees that at thy footstool bow,
I also kneel — but with far other vow
Do hail thee and thy herd of hirelings base: —
I swear, while life-blood warms my throbbing veins,
Still to oppose and thwart, with heart and hand,
Thy brutalising sway — till Afric's chains
Are burst, and Freedom rules the rescued land, —
Trampling Oppression and his iron rod:
Such is the vow I take — SO HELP ME GOD!'

WILLIAM LLOYD GARRISON.

BOSTON, January 1, 1831.

Liberator, (Boston), January 1, 1831.

175. The Pro-Slavery Argument (1832)

BY PROFESSOR THOMAS RODERIC DEW

Dew was professor of history, metaphysics, and political economy at William and Mary College in Virginia, and was afterwards president of that institution. His essay on slavery, written after the debates in the Virginia constitutional convention (see No. 169 above) and the events of the Nat Turner insurrection had aroused much sentiment in Virginia in favor of emancipation, aided greatly in quieting the discussion. — Bibliography: Channing and Hart, *Guide*, §§ 186–187.

. . . 1st. IT is said slavery is wrong, in the *abstract* at least, and contrary to the spirit of Christianity. To this we answer . . . that any question must be determined by its circumstances, and if, as really is the case, we cannot get rid of slavery without producing a greater injury to both the masters and slaves, there is no rule of conscience or revealed law of God which *can* condemn us. . . . if slavery had commenced even contrary to the laws of God and man, and the sin of its introduction rested upon our hands, and it was even carrying forward the nation by slow degrees to final ruin — yet if it were

certain that an attempt to remove it would only hasten and heighten the final catastrophe . . . then, we would not only not be found to attempt the extirpation, but we would stand guilty of a high offence in the sight of both God and man, if we should rashly make the effort. But the original sin of introduction rests not on our heads, and we shall soon see that all those dreadful calamities which the false prophets of our day are pointing to, will never in all probability occur. With regard to the assertion, that slavery is against the spirit of Christianity, we are ready to admit the general assertion, but deny most positively that there is any thing in the Old or New Testament, which would go to show that slavery, when once introduced, ought at all events to be abrogated, or that the master commits any offence in holding slaves. The children of Israel themselves were slave holders, and were not condemned for it. . . . When we turn to the New Testament, we find not one single passage at all calculated to disturb the conscience of an honest slave holder. No one can read it without seeing and admiring that the meek and humble Saviour of the world in no instance meddled with the established institutions of mankind — he came to save a fallen world, and not to excite the black passions of men and array them in deadly hostility against each other. From no one did he turn away; his plan was offered alike to all — to the monarch and the subject, the rich and the poor — the master and the slave. He was born in the Roman world, a world in which the most galling slavery existed, a thousand times more cruel than the slavery in our own country — and yet he no where encourages insurrection — he nowhere fosters discontent — but exhorts *always* to implicit obedience and fidelity. What a rebuke does the practice of the Redeemer of mankind imply upon the conduct of some of his nominal disciples of the day, who seek to destroy the contentment of the slaves, to rouse their most deadly passions, to break up the deep foundations of society, and to lead on to a night of darkness and confusion! . . .

2dly. *But it is further said that the moral effects of slavery are of the most deleterious and hurtful kind;* and as Mr. Jefferson has given the sanction of his great name to this charge, we shall proceed to examine it with all that respectful deference to which every sentiment of so pure and philanthropic a heart is justly entitled.

"The whole commerce between master and slave," says he, "is a perpetual exercise of the most boisterous passions — the most unremitting despotism on the one part, and degrading submission on the other.

Our children see this, and learn to imitate it, for man is an imitative animal — this quality is the germ of education in him. . . ." Now we boldly assert that the fact does not bear Mr. Jefferson out in his conclusions. He has supposed the master in a continual passion — in the constant exercise of the most odious tyranny, and the child, a creature of imitation, looking on and learning. But is not this master sometimes kind and indulgent to his slaves? does he not mete out to them, for faithful service, the reward of his cordial approbation? Is it not his interest to do it? and when thus acting humanely, and speaking kindly, where is the child, the creature of imitation, that he does not look on and learn? We may rest assured, in this intercourse between a good master and his servant, more good than evil *may* be taught the child, the exalted principles of morality and religion may thereby be sometimes indelibly inculcated upon his mind, and instead of being reared a selfish contracted being, with nought but self to look to — he acquires a more exalted benevolence, a greater generosity and elevation of soul, and embraces for the sphere of his generous actions a much wider field. Look to the slave holding population of our country, and you every where find them characterized by noble and elevated sentiment, by humane and virtuous feelings. We do not find among them that cold, contracted, calculating *selfishness*, which withers and repels every thing around it, and lessens or destroys all the multiplied enjoyments of social intercourse. Go into our national councils, and ask for the most generous, the most disinterested, the most conscientious, and the least unjust and oppressive in their principles, and see whether the slave holder will be past by in the selection. . . .

Is it not a fact, known to every man in the South, that the most *cruel masters* are those who have been unaccustomed to slavery. It is well known that northern gentlemen who marry southern heiresses, are much severer masters than southern gentlemen. And yet, if Mr. Jefferson's reasoning were correct, they ought to be much milder: in fact, it follows from his reasoning, that the authority which the father is called on to exercise over his children, must be seriously detrimental; and yet we know that this is not the case; that on the contrary, there is nothing which so much humanizes and softens the heart, as this *very authority;* and there are none, even among those who have no children themselves, so disposed to pardon the follies and indiscretion of youth, as those who have seen most of them, and suffered greatest annoyance. There may be many cruel relentless masters, and there are unkind and cruel fathers

too; but both the one and the other make all those around them shudder with horror. We are disposed to think that their example in society tends rather to strengthen, than weaken the principle of benevolence and humanity.

Let us now look a moment to the slave, and contemplate *his* position. Mr. Jefferson has described him as hating, rather than loving his master, and as losing, too, all that *amor patriæ* which characterizes the true patriot. We assert again, that Mr. Jefferson is not borne out by the fact. We are well convinced that there is nothing but the mere relations of husband and wife, parent and child, brother and sister, which produce a closer tie, than the relation of master and servant. We have no hesitation in affirming, that throughout the whole slave holding country, the slaves of a good master, are his warmest, most constant, and most devoted friends; they have been accustomed to look up to him as their supporter, director and defender. Every one acquainted with southern slaves, knows that the slave rejoices in the elevation and prosperity of his master; and the heart of no one is more gladdened at the successful debut of young master or miss on the great theatre of the world, than that of either the young slave who has grown up with them, and shared in all their sports, and even partaken of all their delicacies — or the aged one who has looked on and watched them from birth to manhood, with the kindest and most affectionate solicitude, and has ever met from them, all the kind treatment and generous sympathies of feeling tender hearts. Judge Smith in his able speech on Foote's Resolutions in the Senate said, in an emergency he would rely upon his own slaves for his defence — he would put arms into their hands, and he had no doubt they would defend him faithfully. In the late Southampton insurrection, we know that many actually convened their slaves, and armed them for defence, although slaves were here the cause of the evil which was to be repelled. . . .

. . . A merrier being does not exist on the face of the globe, than the negro slave of the United States. *Even* Captain Hall himself, with his thick "crust of prejudice," is obliged to allow that they are happy and contented, and the master much less cruel than is generally imagined. Why then, since the slave is happy, and happiness is the great object of all animated creation, should we endeavor to disturb his contentment by infusing into his mind a vain and indefinite desire for liberty — a something which he cannot comprehend, and which must inevitably dry up the very sources of his happiness. . . .

3dly. *It has been contended that slavery is unfavorable to a republican spirit:* but the whole history of the world proves that this is far from being the case. In the ancient republics of Greece and Rome, where the spirit of liberty glowed with most intensity, the slaves were more numerous than the freemen. . . . In modern times, too, liberty has always been more ardently desired by slave holding communities. . . . Burke says, "it is because freedom is to them not only an enjoyment, but a kind of rank and privilege." Another, and perhaps more efficient cause of this, is the perfect spirit of equality so prevalent among the whites of all the slave holding states. . . . The menial and low offices being all performed by the blacks, there is at once taken away the greatest cause of distinction and separation of the ranks of society. The man to the north will not shake hands familiarly with his servant, and converse, and laugh, and dine with him, no matter how honest and respectable he may be. But go to the south, and you will find that no white man feels such inferiority of rank as to be unworthy of association with those around him. Color alone is here the badge of distinction, the true mark of aristocracy, and all who are white are equal in spite of the variety of occupation. . . .

4thly. *Insecurity of the whites, arising from plots, insurrections, &c., among the blacks.* This is the evil, after all, let us say what we will, which really operates most powerfully upon the schemers and emancipating philanthropists of those sections where slaves constitute the principal property. Now, if we have shown, as we trust we have, that the scheme of deportation is utterly impracticable, and that emancipation, with permission to remain, will produce all these horrors in *still greater degree*, it follows that this evil of slavery, allowing it to exist in all its latitude, would be no argument for legislative action, and therefore we might well rest contented with this issue; but as we are anxious to exhibit this whole subject in its true bearings, and as we do believe that this evil has been most strangely and causelessly exaggerated, we have determined to examine it a moment, and point out its true extent. It seems to us, that those who insist most upon it, commit the enormous error of looking upon every slave in the whole slave-holding country as actuated by the most deadly enmity to the whites, and possessing all that reckless, fiendish temper, which would lead him to murder and assassinate the moment the opportunity occurs. — This is far from being true; the slave, as we have already said, generally loves the master and his family; and few indeed there are, who can coldly plot

the murder of men, women, and children; and if they do, there are fewer still who can have the villainy to execute. We can sit down and imagine that all the negroes in the south have conspired to rise on a certain night, and murder all the whites in their respective families; we may suppose the secret to be kept, and that they have the physical power to exterminate; and yet, we say the whole is *morally impossible*. No insurrection of this kind can ever occur where the blacks are as much civilized as they are in the United States. . . . his whole education and course of life are at war with such fell deeds. Nothing, then, but the most subtle and poisonous principles, sedulously infused into his mind, can break his allegiance, and transform him into the midnight murderer. — Any man who will attend to the history of the Southampton massacre, must at once see, that the cause of even the partial success of the insurrectionists, was the very circumstance that there was no extensive plot, and that Nat, a demented fanatic, was under the impression that heaven had enjoined him to liberate the blacks, and had made its manifestations by loud noises in the air, an eclipse, and by the greenness of the sun. It was these signs which determined *him*, and ignorance and superstition, together with implicit confidence in Nat, determined a few others, and thus the bloody work began. . . .

Thomas R. Dew, *Review of the Debate in the Virginia Legislature of 1831 and 1832* (Richmond, 1832), 106–114 *passim*.

176. An Anti-Slavery Meeting (1833)

FROM THE NEW YORK COMMERCIAL ADVERTISER

The tone of this article is typical of the northern press at that period. All agitation of the slavery question was tabooed, and any one who refused to be quiet on the subject took the responsibility of outlawing himself from the right of free speech. This meeting and counter-meeting were precursors of the anti-abolition riot of 1834 in New York. Niles's order is somewhat changed in this text. — Bibliography as in No. 174 above.

WE were not apprised, until after the publication of our paper last evening, of the extent and depth of the excitement prevailing amongst our citizens, in regard to the meeting called by a few individuals, for the purpose of organizing a society of *immediate* abolitionists. It appears, however, that our most respectable citizens, with one voice, were grieved that such a meeting should have been called in N. York, and many of them had determined to attend, and assist in crushing the

dangerous project. Other elements were also stirred into action by the publication of a morning paper, to which we briefly adverted in terms of censure yesterday, and a still greater degree of feeling excited in the course of the day, by the posting of a large placard through the city, of which the following is a copy: —

NOTICE.

To all persons from the south.

All persons interested in the subject of the meeting, called by

J. Leavitt, W. Goodell,
W. Green, jr. J. Rankin,
Lewis Tappan.

At Clinton Hall,

This evening, at 7 o'clock,

Are requested to atte[n]d at the same hour and place.

MANY SOUTHERNERS.

New York, October 2d, 1833.

N. B. All citizens who may feel disposed to manifest the *true* feeling of the state on this subject, are requested to attend.

It is not to be supposed for a moment, that this inflammatory placard was published at the instigation of any of our southern fellow citizens sojourning temporarily amongst us; but was most probably the work of evil-minded people of our own, who were disposed to create a riot. No doubt the southern gentlemen now in the city felt deeply interested in the meeting; but we question whether any of them would have taken the liberty of thus interfering in the domestic concerns of our city. Be the origin of the handbill what it may, however, the effect of the several publications, and the still deeper and more solemn tone of feeling pervading the bosom of our best citizens, was to produce a general and most uncommon degree of excitement. At a very early hour, therefore, the people began to assemble in crowds in front of Clinton Hall — the place appointed for the meeting. There, for the first time, they were apprised, by a notice upon the door, that no meeting would be held. — Either the gentlemen signing the notice had become convinced that they were raising a storm which they could not control, and had therefore wisely changed their purposes, or the trustees of the hall, foreseeing a tumultuous night, had closed the doors — we know not which. Hun-

dreds, on being apprised that the meeting was given up, retired to their respective homes; but the throng still increased to perhaps several thousands, of highly respectable citizens: and as they roused the tempers of each other by mutual expressions of disgust and execration respecting the authors of the projected proceedings, it soon became evident that the latter persons were acting with far the discreetest valor by staying away. In regard to William Lloyd Garrison, the misguided young gentleman who has just returned from England, whither he has recently been for the sole purpose, as it would seem, of traducing the people and institutions of his own country, and who, it was supposed, was to have taken an active part in this meeting, but one sentiment appeared to prevail. We will not record the expressions of disgust and abhorrence which were coupled with his name; and we believe that had he been present, many grave and respectable citizens, who, under other circumstances would have been the last to participate in any disorderly popular proceedings, would at least have assented to his decoration in a coat of tar and feathers. Such were the threats, which we record — by no means with approbation — but merely as historians, and for the purpose of exhibiting to our fellow citizens abroad, the true state of the public sentiment here, upon this interesting and exciting subject. We hope, most sincerely, that not a hair of Mr. Garrison's head will ever be injured by personal violence; but he will do well to consider that his course of conduct in England, has kindled a spirit of hostility towards him at home, which cannot be easily allayed. He will act wisely never to attempt addressing a public meeting in *this* country again. With those foreign rivals who roll every scandal upon the American character as a sweet morsel under their tongues, his orations will doubtless be acceptable.

But to recur to the proceeding of last night. Notwithstanding the notification of "no meeting," above spoken of, "the people" — we now quote the report of the Journal of Commerce — "continued to enter the hall and ascend the staircase, until the place became crowded to suffocation. Here the meeting was organized by the appointment of general *Bogardus*, as chairman, and *P. P. Parsells* and *M. C. Patterson*, esquires, as secretaries. After waiting until a quarter after seven, there was an almost unanimous call for an adjournment to Tammany Hall, where, in the course of a few minutes, several hundreds assembled."

A gentleman was about to address the meeting, when a person approached the chair and stated that the meeting which was to have been

held at Clinton Hall was at that moment being held in Chatham street chapel. Several voices cried out, "let us go there and rout them!"

The chairman. Gentlemen, that is not the way for us to act. We have met here to give expression to public opinion, and the only proper way to do so is by passing resolutions. Were we to go from this to the meeting at Chatham street chapel, we should be stigmatized as disorganizers. Let us first pass the resolutions, and then every gentleman can act as he thinks proper.

Mr. *F. A. Tallmadge* said that a meeting had been called by a certain class of citizens for the purpose of passing resolutions. A notice had been published in the papers, stating that the object of the meeting was to promote the emancipation of slaves in the United States; and he was sure every person present would join in it. (Some person present cried out, "No, I will not join in it" — which occasioned much laughter.) It was, however, a very serious question how the object was to be effected. Surely it was not to be done by reducing two millions of slaves to pauperism and rendering them dependent on the northern states for the means of supporting existence. It was not that view only which was to be taken of the question; for if the blacks of the southern states were at once to be set free, the whites would become slaves. Ought there not, then, to be a feeling of conciliation between the people of this part of the United States and their southern neighbors, when it was a question which might lead to a civil war. Even if they had the power of giving freedom to two millions of slaves, could they think of doing so without compensating their owners? And where would those fine philanthropists get money enough for such an object? It would amount to more than the entire taxation of the United States. The only course by which the object could be attained, was a gradual abolition. Let that be done, but at the same time let them conciliate their southern neighbors. With these feelings he would move the following resolutions:

Resolved, That our duty to the country, and our southern brethren in particular, render it improper and inexpedient to agitate a question pregnant with peril and difficulty to the common weal.

Resolved, That it is our duty as citizens and Christians, to mitigate, not to increase the evils of slavery by an unjustifiable interference, in a matter which requires the will and cordial concurrence of all to modify or remove.

Resolved, That we take this opportunity to express to our southren brethren our fixed and unalterable determination to resist every attempt

that may be made to interfere with the relations in which master and slave now stand, as guaranteed to to them by the constitution of the United States. . . .

Mr. *John Neal*, of Portland, Maine, seconded the resolutions, and said that he considered nothing better calculated to perpetuate the union. He came to the meeting in the hopes of seeing Mr. Garrison, who had grossly misrepresented the people of New England, from which part of the country he, (Mr. Neal), had come. There were several hundred honest men in New England, equally friendly to emancipation as Mr. Garrison; but who were far from adopting the opinions of the anti-slavery society. Mr. Garrison had defined the sole purpose of that society to be the immediate emancipation of the slaves. And how did he propose carrying it into effect? Was it by calling the men of the south, kidnappers and slave-stealers? Such a society was well calculated to produce a dissolution of the union, and if the union was to be trampled under foot, he would hold Mr. Garrison accountable for it. Mr. Garrison had not only published his own opinions on the subject in England, but has published British opinions on the subject in America. He, (Mr. N.) would assert that the men of the south were friendly to emancipation. Thomas Jefferson was a slave-holder, and when only twenty-two years of age declared against slavery in the legislature, and published a much admired book on the subject. There was a Mrs. Child, who had written a book in favor of immediate emancipation. Mr. Garrison wrote a book also, but when the anti-slavery society was asked if they were for giving full rights to the slaves at once; they made no answer. If full rights were to be given at once to the slaves, what would be the consequence in Louisiana, where the slaves were two to one in proportion to the whites? Would they not out-vote them on every occasion. Mr. Garrison's doctrine was, that the slaves should not only be emancipated, but receive compensation for their labor, and have a right to make their own laws. The societies which Mr. Garrison had got up, should be called, not anti-slavery, but anti-colonization societies. His object in getting up those societies was for the mere purpose of supporting a miserable newspaper, and disposing of a pamphlet containing extracts from the writings of John Randolph. He, (Mr. Garrison), had expended all the funds that were collected in New England in his miscalled mission to Great Britain. As a New England man, he felt pleasure in seconding the resolutions. The resolutions were then put from the chair and carried amidst loud acclamations.

It appears, however, that the purposes for which the meeting had been originally called, were indirectly attained by the gentlemen concerned. Finding, as we have already remarked in effect, that it is much easier to raise a popular whirlwind than to ride securely upon it, they prudently and privately changed their place of meeting. Retiring to the Chatham street chapel, the following proceedings were had, as we find by the record in the morning papers:

ANTI SLAVERY SOCIETY.

At a meeting of the friends of the immediate emancipation of slaves in the United States, held at Chatham street chapel last evening, at half-past seven o'clock, *John Rankin* was chosen chairman, and *Abraham Cox*, M. D. secretary.

After an address to the throne of grace, on motion, it was

Resolved, That it is expedient at this time to form a society for promoting the abolition of slavery.

A committee appointed at a preliminary meeting then offered a draft of a constitution, which was read, and its principles discussed, when the same was unanimously adopted, and is as follows:

CONSTITUTION

Of the New York city anti slavery society.

Whereas, our national existence is based on the principle laid down in the Declaration of Independence, "that all mankind are created equal, and that they are endowed by their Creator with certain unalienable rights, among which are life, liberty and the pursuit of happiness;" *And whereas* after the lapse of nearly sixty years since the faith and honor of the American people were pledged to this avowal, before Almighty God and the world, one-sixth part of the nation are held in bondage by their fellow citizens; *And whereas*, slavery is contrary to the principles of natural justice, of our republican form of government, and of the Christian religion, and is greatly hindering the prosperity of the country, while it is endangering the peace, union and liberties of the states; *And whereas*, we believe that no scheme of expatriation, either voluntary or by compulsion, can remove this great and increasing evil; *And whereas*, we believe that it is practicable, by appeals to the consciences, hearts and interests of the people, to awaken a public sentiment throughout the nation that will be opposed to the continuance of slavery in any part of the republic, and by effecting the speedy abolition

of slavery, prevent a general convulsion; *And whereas*, we believe that we owe it to the oppressed, to our fellow citizens who hold slaves, to posterity and to God, to do all that is lawfully in our power to bring about the extinction of slavery, we do hereby agree, (with a prayerful reliance on that great Being who "has made of one blood all nations of men to dwell on all the face of the earth,") to form ourselves into a society to be governed by the following constitution.

Article 1. This society shall be styled the "New York city anti-slavery society."

Article 2. The object of this society shall be to collect and diffuse information on the true character of slavery; to convince our countrymen of its heinous criminality in the sight of God; to show that the duty, safety and interest of all concerned require its abandonment; and to take all lawful, moral and religious means to effect a total and immediate abolition of slavery in the United States.

Article 3. This society shall aim to elevate the character and condition of the people of color, by encouraging their intellectual, moral and religious improvement, by correcting the prejudices of public opinion, and by endeavoring to obtain for our colored fellow citizens an equality with the whites of civil and religious privileges; but will never countenance the oppressed in vindicating their rights by resorting to physical force.

Article 4. Any person who agrees with the principles of this constitution, and contributes to the funds, may be a member of the society, and shall be entitled to vote at its meetings.

New York Commercial Advertiser, October 3, 1833; reprinted in H[ezekiah] Niles, editor, *Niles' Weekly Register*, October 12, 1833 (Baltimore), XLV, 111–112.

177. A Western Political Abolitionist (1839)

BY JAMES GILLESPIE BIRNEY

Birney was a slaveholder in Alabama who passed through the intermediate stages of belief in colonization and gradual emancipation, to become finally an advocate of immediate abolition as the only feasible remedy for slavery. He became the most prominent of the western abolitionists. — For Birney, see William Birney, *James G. Birney and his Times*. — Bibliography as in No. 174 above.

. . . THE originators of the American Anti-Slavery Society believed, that slavery ought *immediately to be abandoned*. The majority did not. . . .

The OBJECT of the American Society was — *the entire abolition of slavery in the U. S.* The MEANS for effecting it were, —

1. The admission, that each State in which it exists has, by the Constitution of the U. S. the exclusive right to *legislate* in regard to its abolition in said State.

2. To convince our fellow citizens, by arguments addressed to their understandings and consciences, that slaveholding is a heinous crime in the sight of God, and, that the duty, safety, and best interests of all concerned, require its immediate abandonment, without expatriation.

3. In a constitutional way to influence Congress to put an end to the domestic slave trade — and

4. To abolish slavery in all those portions of our common country which come under its control — especially in the District of Columbia; and lastly,

5. To prevent the extension of slavery to any State that might hereafter be admitted to the Union. . . .

It is not unworthy of remark, that whilst our fellow-citizens, generally, were to be '*addressed*' — Congress were to be *influenced*. Not that members of Congress were not included in the words '*all* our fellow citizens,' to whom arguments were to be 'addressed;' but, because certain of our fellow citizens were members of Congress, and possessed, in virtue thereof, extraordinary power, with *them* the society were to use *additional* means. They were '*also* to endeavor, in a constitutional way, to *influence* Congress,' &c, that is, by such considerations as are usually found to have a *peculiar* influence on men enjoying *peculiar* stations at the will of the people. They were to be asked to do, only what, in their public character, they were *authorized* to do — what it was *right* for them to do; if their action was not responsive to our petitions, they were to be *influenced* by the fear of incurring the displeasure of their constituents; consequently, of being removed from their places, that others might occupy them; — the only 'constitutional way' of doing which was, by the use of the Elective Franchise.

This action on Congress has been called, by way of distinction, '*political*.' For several years after the organization of the American Society, our numbers were too few to attempt it. It was therefore, generally, deprecated as inexpedient. . . .

It is not recollected, that any amount of opposition worthy to be mentioned was made to political action as inculcated (according to the foregoing interpretation) in the constitution — in the Declaration of

Sentiments — in the State Societies' constitutions — and in the Editorials of the Liberator — till after political action was, in consequence of the increase of our numbers, decided upon. Within the last twelve or eighteen months, it is believed — after efforts, some successful, some not, had been begun to affect the elections — and whilst the most indefatigable exertions were being made by many of our influential, intelligent and liberal friends to convince the great body of the abolitionists of the necessity — the indispensable necessity — of breaking away from their old '*parties*,' and uniting together in the use of the elective franchise for the advancement of the cause of human freedom in which we were engaged; — at this very time, and mainly, too, in that part of the country where *political action* had been most successful, and whence, from its promise of soon being wholly triumphant, great encouragement was derived by abolitionists every where, a Sect has arisen in our midst, whose members regard it as of religious obligation, IN NO CASE, *to exercise the elective franchise*. This persuasion is part and parcel of the tenet which it is believed they have embraced, — that as Christians have the precepts of the Gospel to direct, and the Spirit of God to guide them, all Human Governments, as necessarily including the idea of *force*, to secure obedience, are not only superfluous, but unlawful encroachments on the Divine government, as ascertained from the sources above mentioned. . . . In short, the 'No-Government' doctrines, as they are believed now to be embraced, seem to strike at the root of the social structure; and tend — so far as I am able to judge of their tendency, — to throw society into entire confusion, and to renew, under the sanction of religion, scenes of anarchy and license that have generally heretofore been the offspring of the rankest infidelity and irreligion.

It is but justice to say — judging from the moral deportment of the adherents of the 'No-Government' scheme — that so far from admitting, what I have supposed to be, its legitimate consequences, they would wholly deny and repudiate them. . . .

. . . If . . . my interpretation of the constitution be correct, it would seem to be the most honorable, amicable, and respectful course for the No-Government men to move directly for an alteration of the constitution. To this, I think, no one would take exception.

But to this it may be replied — where is the necessity of a change of the constitution, when both the *No*-Government men and the Government men can act under it according to the dictates of their consciences respectively? But is this really so? Is the difference between those

who seek to abolish any and every government of human institution, and those who prefer *any* government to a state of things in which every one may do what seemeth good in his own eyes — is the difference between them, I say, so small, that they can act harmoniously under the same organization? When in obedience to the principles of the society, I go to the polls, and there call on my neighbors to unite with me in electing to Congress, men who are in favor of Human Rights, I am met by a No-Government abolitionist inculcating on them the doctrine, that Congress have *no rightful authority* to act at all in the premises — how can we proceed together? When I am animating my fellow-citizens to aid me in infusing into the government salutary influences which shall put an end to all oppression — my No-Government brother cries out at the top of his lungs, *all* governments are of the Devil (!) where is our harmony? Our efficiency? . . . One party is for sustaining and purifying governments, and bringing them to a perfect conformity with the principles of the Divine government — the other for destroying *all* government.

'*But, although the No-Government Abolitionists refuse themselves to vote, they do not object to petitioning Congress.*' — True — and so far so good. If this seem an absurdity to others, it may not to them. They may have some method of accommodating their principles to such a proceeding, of which others are ignorant. And even if there be a substantial inconsistency in refusing, from religious considerations, to have any hand in *electing* members of Congress — and afterward, when they are elected *by others*, using them *as* members of Congress, and *only* as such, it is nothing more than what often happens to good men who embrace absurd dogmas to which their practical humanity and common sense cannot be brought entirely to submit. . . .

'*But would you trample on the conscientious scruples of the No-Government abolitionists, by requiring them to vote?*' By no means. There is no power to do so — nor would I if I could. But *Right* is to be respected as well as conscience — consciences are to be moulded by right, and not right by the consciences of men. If the Constitution of the American Society requires of those who subscribe to it, to use the elective franchise, for the abolition of slavery, and men join the Society knowing this, they are *justly* bound to vote. . . .

I am prompted to publish the foregoing remarks by no personal ill-will to any of those who are counted as teachers or disciples of the No-Government doctrines. I have no ground for ill-will. On the contrary, I know of nothing which would authorize me to say, speaking of them in

the mass, that they *intend* any thing but good; whilst for several of them I cherish particular sentiments of regard. But it is high time that something was done to bring this subject directly before the great body of the abolitionists, in order that they may relieve their cause from an incubus that has so mightily oppressed it in some parts of the country during the last year. It is in vain to think of succeeding in emancipation without the co-operation of the great mass of the intelligent mind of the nation. This can be attracted, only by the reasonableness, the *religion*, of our enterprise. To multiply causes of repulsion is but to drive it from us, and ensure our own defeat — to consign the slave to perdurable chains — our country to imperishable disgrace.

Emancipator (New York), May 2, 1839; reprinted in James G. Birney, *A Letter on the Political Obligations of Abolitionists* (Boston, 1839), 3–13 *passim*.

178. An Anti-Slavery Poem (1843)

BY JOHN GREENLEAF WHITTIER

Whittier was the first of the greater American poets to advocate the abolition of slavery. Much of his early fame rested on his fervid lyrics on this subject, many of which, struck off at white heat, as he himself says, were intended to serve no other purpose than to uphold the cause. He was also active as an editor, and as an official in the American Anti-Slavery Society. Although not a politician, he believed in the political duty of the abolitionists. The immediate cause of this poem was the illegal seizure in Boston of George Latimer as a fugitive slave from Virginia. The case caused much excitement both north and south. — For Whittier, see Providence Public Library, *Monthly Reference Lists*, III, 3. — Bibliography: Channing and Hart, *Guide*, §§ 187, 189.

THE blast from Freedom's Northern hills, upon its Southern way,
Bears greeting to Virginia from Massachusetts Bay: —
No word of haughty challenging, nor battle bugle's peal,
Nor steady tread of marching files, nor clang of horsemen's steel.

. . . . . .

We hear thy threats, Virginia! thy stormy words and high,
Swell harshly on the Southern winds which melt along our sky;
Yet, not one brown, hard hand foregoes its honest labor here —
No hewer of our mountain oaks suspends his axe in fear.

. . . . . .

What asks the Old Dominion? If now her sons have proved
False to their fathers' memory — false to the faith they loved;
If she can scoff at Freedom, and its great charter spurn,
Must we of Massachusetts from truth and duty turn?

We hunt your bondmen, flying from Slavery's hateful hell —
Our voices, at your bidding, take up the bloodhound's yell —
We gather, at your summons, above our fathers' graves,
From Freedom's holy altar-horns to tear your wretched slaves!

Thank God! not yet so vilely can Massachusetts bow;
The spirit of her early time is with her even now;
Dream not because her Pilgrim blood moves slow, and calm, and cool,
She thus can stoop her chainless neck, a sister's slave and tool!

All that a *sister* State should do, all that a *free* State may,
Heart, hand, and purse we proffer, as in our early day;
But that one dark loathsome burden ye must stagger with alone,
And reap the bitter harvest which ye yourselves have sown!

Hold, while ye may, your struggling slaves, and burden God's free air
With woman's shriek beneath the lash, and manhood's wild despair;
Cling closer to the "cleaving curse" that writes upon your plains
The blasting of Almighty wrath against a land of chains.

Still shame your gallant ancestry, the cavaliers of old,
By watching round the shambles where human flesh is sold —
Gloat o'er the new-born child, and count his market value, when
The maddened mother's cry of woe shall pierce the slaver's den!

Lower than plummet soundeth, sink the Virginian name;
Plant, if ye will, your fathers' graves with rankest weeds of shame;
Be, if ye will, the scandal of God's fair universe —
We wash our hands forever, of your sin, and shame, and curse.

A voice from lips whereon the coal from Freedom's shrine hath been,
Thrilled, as but yesterday, the hearts of Berkshire's mountain men:
The echoes of that solemn voice are sadly lingering still
In all our sunny valleys, on every wind-swept hill.

And when the prowling man-thief came hunting for his prey
Beneath the very shadow of Bunker's shaft of grey,
How, through the free lips of the son, the father's warning spoke;
How, from its bonds of trade and sect, the Pilgrim city broke!

. . . . . .

The voice of Massachusetts! Of her free sons and daughters —
Deep calling unto deep aloud — the sound of many waters!
Against the burden of that voice what tyrant power shall stand?
No fetters in the Bay State! No slave upon her land!

Look to it well, Virginians! In calmness we have borne,
In answer to our faith and trust, your insult and your scorn;
You've spurned our kindest counsels — you've hunted for our lives —
And shaken round our hearths and homes your manacles and gyves!

We wage no war — we lift no arm — we fling no torch within
The fire-damps of the quaking mine beneath your soil of sin;
We leave ye with your bondmen, to wrestle, while ye can,
With the strong upward tendencies and God-like soul of man!

But for us and for our children, the vow which we have given
For freedom and humanity, is registered in Heaven;
No slave-hunt in our borders — no pirate on our strand!
No fetters in the Bay State — no slave upon our land!

John Greenleaf Whittier, *Massachusetts to Virginia*, in his *Poems* (Boston, 1849), 188–191 *passim*.

CHAPTER XXVIII — SLAVERY AS A NATIONAL INSTITUTION

179. A Cargo of Black Ivory (1829)

BY REVEREND ROBERT WALSH

Walsh was an Irishman. His voyage to Brazil and investigation of the slave trade there led to his becoming prominent in the English society for the abolition of slavery. — Bibliography: W. E. B. Du Bois, *Suppression of the African Slave-Trade*, Appendix D.

THE captain now ordered a gun to be fired to leeward, and the English union flag to be hoisted; we had the wind right aft, and were running right down upon her, distant about four miles. . . . The ball went ricochetting along the waves, and fell short of her stern; in a little time afterwards she hoisted a flag, which we perceived was Brazilian. . . .

We could now discern her whole equipment; her gun streak was distinctly seen along the water, with eight ports of a side; and it was the general opinion that she was a French pirate and slaver, notorious for her depredations. . . .

. . . Our boat was now hoisted out, and I went on board with the officers. When we mounted her decks, we found her full of slaves. She was called the Veloz, commanded by Captain José Barbosa, bound to Bahia. She was a very broad-decked ship, with a mainmast, schooner-rigged, and behind her foremast was that large formidable gun, which turned on a broad circle of iron, on deck, and which enabled her to act as a pirate, if her slaving speculation had failed. She had taken in, on the coast of Africa, 336 males, and 226 females, making in all 562, and had been out seventeen days, during which she had thrown overboard fifty-five. The slaves were all enclosed under grated hatchways, between decks. The space was so low, that they sat between each other's legs, and stowed so close together, that there was no possibility of their lying down, or at all changing their position, by night or day. As they belonged to, and were shipped on account of different individuals, they

were all branded, like sheep, with the owners' marks of different forms . . . These were impressed under their breasts, or on their arms, and, as the mate informed me, with perfect indifference . . . "burnt with the red-hot iron." Over the hatchway stood a ferocious looking fellow, with a scourge of many twisted thongs in his hand, who was the slave-driver of the ship, and whenever he heard the slightest noise below, he shook it over them, and seemed eager to exercise it. . . .

But the circumstance which struck us most forcibly, was, how it was possible for such a number of human beings to exist, packed up and wedged together as tight as they could cram, in low cells, three feet high, the greater part of which, except that immediately under the grated hatchways, was shut out from light or air, and this when the thermometer, exposed to the open sky, was standing in the shade, on our deck, at 89°. The space between decks was divided into two compartments, 3 feet 3 inches high; the size of one was 16 feet by 18, and of the other 40 by 21; into the first were crammed the women and girls; into the second, the men and boys: 226 fellow-creatures were thus thrust into one space 288 feet square; and 336 into another space 800 feet square, giving to the whole an average of 23 inches, and to each of the women not more than 13 inches . . . We also found manacles and fetters of different kinds, but it appears that they had all been taken off before we boarded.

The heat of these horrid places was so great, and the odour so offensive, that it was quite impossible to enter them, even had there been room. They were measured as above when the slaves had left them. The officers insisted that the poor suffering creatures should be admitted on deck to get air and water. This was opposed by the mate of the slaver, who, from a feeling that they deserved it, declared they would murder them all. The officers, however, persisted, and the poor beings were all turned up together. It is impossible to conceive the effect of this eruption — 517 fellow-creatures of all ages and sexes, some children, some adults, some old men and women, all in a state of total nudity, scrambling out together to taste the luxury of a little fresh air and water. They came swarming up, like bees from the aperture of a hive, till the whole deck was crowded to suffocation, from stem to stern; so that it was impossible to imagine where they could all have come from, or how they could have been stowed away. On looking into the places where they had been crammed, there were found some children next the sides of the ship, in the places most remote from light and air; they were

lying nearly in a torpid state, after the rest had turned out. The little creatures seemed indifferent as to life or death, and when they were carried on deck, many of them could not stand.

After enjoying for a short time the unusual luxury of air, some water was brought; it was then that the extent of their sufferings was exposed in a fearful manner. They all rushed like maniacs towards it. No entreaties, or threats, or blows, could restrain them; they shrieked, and struggled, and fought with one another, for a drop of this precious liquid, as if they grew rabid at the sight of it. There is nothing which slaves, in the mid-passage, suffer from so much as want of water. It is sometimes usual to take out casks filled with sea water, as ballast, and when the slaves are received on board, to start the casks, and refill them with fresh. On one occasion, a ship from Bahia neglected to change the contents of the casks, and on the mid-passage found, to their horror, that they were filled with nothing but salt water. All the slaves on board perished! We could judge of the extent of their sufferings from the afflicting sight we now saw. When the poor creatures were ordered down again, several of them came, and pressed their heads against our knees, with looks of the greatest anguish, at the prospect of returning to the horrid place of suffering below.

It was not surprising that they should have endured much sickness and loss of life, in their short passage. They had sailed from the coast of Africa on the 7th of May, and had been out but seventeen days, and they had thrown overboard no less than fifty-five, who had died of dysentery and other complaints, in that space of time, though they had left the coast in good health. Indeed, many of the survivors were seen lying about the decks in the last stage of emaciation, and in a state of filth and misery not to be looked at. Even-handed justice had visited the effects of this unholy traffic, on the crew who were engaged in it. Eight or nine had died, and at that moment six were in hammocks on board, in different stages of fever. This mortality did not arise from want of medicine. There was a large stock ostentatiously displayed in the cabin, with a manuscript book, containing directions as to the quantities; but the only medical man on board to prescribe it was a black, who was as ignorant as his patients.

While expressing my horror at what I saw, and exclaiming against the state of this vessel for conveying human beings, I was informed by my friends, who had passed so long a time on the coast of Africa, and visited so many ships, that this was one of the best they had seen. The height,

sometimes, between decks, was only eighteen inches; so that the unfortunate beings could not turn round, or even on their sides, the elevation being less than the breadth of their shoulders; and here they are usually chained to the decks, by the neck and legs. . . .

When I returned on board the frigate, I found the captain of the slaver pacing the deck in great agitation . . . Meantime, his papers were rigidly examined, to ascertain if they bore out his story. He said that he was a Brazilian, from Bahia, and that his traffic was strictly confined to the south of the line, where, by treaty, it was yet lawful . . . All this, his chart and log corresponded with. As the tale, however, could be easily fabricated, and papers were written to correspond, a strict scrutiny was made into other circumstances. . . .

The instructions sent to king's ships as to the manner of executing the treaty of Brazil, are very ambiguous. They state in one place that "no slave ship is to be stopped to the south of the line, on any pretext whatever." Yet in another, a certain latitude is allowed, if there is reason to suspect that the slaves on board "were taken in, to the north." By the first, the ship could not be detained at all, and it was doubtful if there was just reason for the second. Even if there were the strongest grounds for capturing and sending her to Sierra Leone for adjudication, where the nearest mixed commission sat, a circumstance of very serious difficulty occurred. It would take three weeks, perhaps a month or more, to beat up to windward to this place, and the slaves had not water for more than half that time, and we could not supply her. A number had already died, and we saw the state of frenzy to which the survivors were almost driven, from the want of this element. . . . Under these doubtful circumstances, then, it appeared more legal and even more humane to suffer them to proceed on their course to Bahia, where it is probable, after all, the remnant left alive would be finally sent, after an investigation by the commissioners, as having been taken in, within the limits of legal traffic. It was with infinite regret, therefore, we were obliged to restore his papers to the captain, and permit him to proceed, after nine hours' detention and close investigation. It was dark when we separated, and the last parting sounds we heard from the unhallowed ship, were the cries and shrieks of the slaves, suffering under some bodily infliction.

R[obert] Walsh, *Notices of Brazil in 1828 and 1829* (London, 1830), II, 477–490 *passim*.

180. Abolition Mail (1835)

BY POSTMASTER-GENERAL AMOS KENDALL

Kendall, for his political support of Jackson, was made fourth auditor of the treasury in 1829, became one of the most influential of Jackson's private advisers, and is usually credited with shaping the President's policy in many important instances. Kendall was appointed postmaster-general in 1835, and instituted some effectual reforms. This is an extract from a letter addressed to the postmaster at New York. — For Kendall, see *Autobiography of Amos Kendall.* — Bibliography: Channing and Hart, *Guide*, § 188.

IT was right to propose to the Anti-slavery society voluntarily to desist from attempting to send their publications into the southern states by public mails; and their refusal to do so, after they were apprized that the entire mails were put in jeopardy by them, is but another evidence of the fatuity of the counsels by which they are directed.

After mature consideration of the subject, and seeking the best advice within my reach, I am confirmed in the opinion, that the postmaster general has no legal authority, by any order or regulation of his department, to exclude from the mails any species of newspapers, magazines or pamphlets. Such a power vested in the head of this department would be fearfully dangerous, and has been properly withheld. Any order or letter of mine directing or officially sanctioning the step you have taken, would therefore, be utterly powerless and void, and would not in the slightest degree relieve you from its responsibility.

But to prevent any mistake in your mind, or in that of the abolitionists, or of the public, in relation to my position and views, I have no hesitation in saying, that I am deterred from giving any order to exclude the whole series of abolition publications from the southern mails only by a want of legal power; and that if I were situated as you are, I would do as you have done.

Postmasters may lawfully know in all cases the contents of newspapers, because the law expressly provides that they shall be so put up that they may be readily examined; and if they know those contents to be calculated and designed to produce, and if delivered, will certainly produce the commission of the most aggravated crimes upon the property and persons of their fellow citizens, it cannot be doubted that it is their duty to detain them, if not even to hand them over to the civil authorities. The postmaster general has no legal power to prescribe any rule for the

government of postmasters in such cases, nor has he ever attempted to do so. They act in each case upon their own responsibility, and if they improperly detain or use papers sent to their offices for transmission or delivery, it is at their peril and on their heads falls the punishment. . . .

From the specimens I have seen of anti-slavery publications, and the concurrent testimony of every class of citizens except the abolitionists, they tend directly to produce in the south, evils and horrors surpassing those usually resulting from foreign invasion or ordinary insurrection. From their revolting pictures and fervid appeals addressed to the senses and passions of the blacks they are calculated to fill every family with assassins and produce at no distant day an exterminating servile war. So aggravated is the character of those papers that the people of the southern states with an unanimity never witnessed except in cases of extreme danger, have evinced, in public meetings and by other demonstrations, a determination to seek defence and safety in putting an end to their circulation by any means, and at any hazard. Lawless power is to be resisted; but power which is exerted in palpable self-defence, is not lawless. That such is the power whose elements are now agitating the south, the united people of that section religiously believe; and so long as that shall be their impression, it will require the array of armies to carry the mails in safety through their territories, if they continue to be used as the instrument of those who are supposed to seek their destruction.

As a measure of great public necessity, therefore, you and the other postmasters who have assumed the responsibility of stopping these inflammatory papers, will, I have no doubt, stand justified in that step before your country and all mankind.

But perhaps the legal right of the abolitionists to make use of the public mails in distributing their insurrectionary papers throughout the southern states, is not so clear as they seem to imagine. When those states became independent they acquired a right to prohibit the circulation of such papers within their territories; and their power over the subject of slavery and all its incidents, was in no degree diminished by the adoption of the federal constitution. It is still as undivided and sovereign as it was when they were first emancipated from the dominion of the king and parliament of Great Britain. In the exercise of that power, some of those states have made the circulation of such papers a capital crime; others have made it a felony punishable by confinement in the penitentiary; and perhaps there is not one among them which

has not forbidden it under heavy penalties. If the abolitionists or their agents were caught distributing their tracts in Louisiana, they would be legally punished with death; if they were apprehended in Georgia, they might be legally sent to the penitentiary; and in each of the slaveholding states they would suffer the penalties of their respective laws.

Now, have these people a legal right to do by the mail carriers and postmasters of the United States, acts, which if done by themselves or their agents, would lawfully subject them to the punishment due to felons of the deepest dye? Are the officers of the United States compelled by the constitution and laws, to become the instruments and accomplices of those who design to baffle and make nugatory the constitutional laws of the states — to fill them with sedition, murder and insurrection — to overthrow those institutions which are recognised and guaranteed by the constitution itself?

And is it entirely certain, that any existing law of the United States would protect mail carriers and postmasters against the penalties of the state laws, if they shall knowingly carry, distribute or hand out any of these forbidden papers? If a state by a constitutional law declare any specific act to be a crime, how are officers of the United States who may be found guilty of that act, to escape the penalties of the state law? It might be in vain for them to plead that the post office law made it their duty to deliver all papers which came by mail. In reply to this argument it might be alleged, that the post office law imposes penalties on postmasters for "*improperly*" detaining papers which come by the mail, and that the detention of the papers in question is not improper, because their circulation is prohibited by valid state laws. Ascending to a higher principle, it might be plausibly alleged, that no law of the United States can protect from punishment any man, whether a public officer or citizen, in the commission of an act which the state, acting within the undoubted sphere of her reserved rights, has declared to be a crime. . . .

Upon these grounds a postmaster may well hesitate to be the agent of the abolitionists in sending their incendiary publications into states where their circulation is prohibited by law, and much more may postmasters residing in those states refuse to distribute them. Whether the arguments here suggested be sound or not, of one thing there can be no doubt. If it shall ever be settled by the authority of congress, that the post office establishment may be legally, and must be actually employed as an irresponsible agent to enable misguided fanatics or reckless incen-

diaries to stir up with impunity insurrection and servile war in the southern states, those states will of necessity consider the general government as an accomplice in the crime — they will look upon it [as] identified in a cruel and unconstitutional attack as [on?] their unquestionable rights and dearest interests, and they must necessarily treat it as a common enemy in their means of defence. Ought the postmaster or the department, by thrusting these papers upon the southern states now, in defiance of their laws, to hasten a state of things so deplorable?

I do not desire to be understood as affirming that the suggestion here thrown out, ought, without the action of higher authority, to be considered as the settled construction of the law, or regarded by postmasters as the rule of their future action. It is only intended to say, that in a sudden emergency, involving principles so grave and consequences so serious, the safest course for postmasters and the best for the country, is that which you have adopted.

New York Times, August 22, 1835; reprinted in H[ezekiah] Niles, editor, *Niles' Weekly Register*, September 5, 1835 (Baltimore), XLIX, 8–9 *passim*.

181. First Great Onslaught on Slavery in Congress (1837)

BY REPRESENTATIVE WILLIAM SLADE

Slade was a congressman from Vermont. The rule by which he was finally silenced was known as Rule 22, and this was almost the first time it had been enforced. — Bibliography as in No. 180 above.

MR. SLADE said, that, as the memorial which he had had the honor to present, contained merely a prayer for the abolition of slavery and the slave trade in the District of Columbia, unaccompanied by arguments in its support, he felt called on, as the representative of the memorialists, to state, in their behalf, the grounds on which he understood the prayer of the memorial to be founded. . . .

Mr. S. proceeded to say . . . I do not covet the privilege of addressing the house on this subject. I know I cannot do it without incurring censure, even from men whom I have been permitted to call my friends — which I would gladly avoid. But, sir, I am admonished by what I have seen here, during the present session, as on former occasions, that

taking my seat will be the signal for another motion to lay on the table; and thus the people, whose memorial I have presented, will be deprived of the hearing to which I consider them justly entitled. I have, therefore, no alternative but to speak. I cannot desist — I must not — I will not.

This memorial, Mr. Speaker, asks for the abolition of *slavery* and the *slave trade* in the District of Columbia. In considering this subject, the first question which naturally presents itself is — *what is slavery?* . . .

Here, then, is slavery. It is the holding of MAN — the *whole* of man — as PROPERTY. Think of that, Mr. speaker! Let the dreadful idea, for one moment, take full possession of your mind — Property in man! Why, sir, what possible wrong can be inflicted by man upon his fellow man, which may not legitimately result from this relation? Nay, sir, is not the very act of holding man as property, itself among the highest wrongs that can be inflicted on him?

And reflect, sir, upon the nature of the being that you thus reduce to the condition of property? It is MAN — your BROTHER! — Man, with an intelligent, immortal spirit — Man, allied to angels — Man, made in the image of the Almighty — Man, in a peculiar and exclusive sense, the property of the great Jehovah.

What, sir, is the foundation of the right of property? Is it not a grant, expressed, or implied, from the great original Proprietor? Nothing can give a higher title than *creation;* and, as man is the noblest work, so is he, in the highest sense, the property of the Creator.

Now, sir, show me the *grant* of a right of property in *men*. Every thing else is granted. There is nothing upon earth, that can be rightfully held as property, the dominion over which, is not the subject of express grant from the Creator. Read the sublime description of the creation in the first chapter of Genesis. . . .

"So God created man in *his own image;* in *the image of God* created he him."

And now comes *the grant.* It had been announced: it is now made.

"And God blessed them. And God *said unto them,* be faithful, and multiply and replenish the earth, and *subdue it;* and *have dominion* over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth."

I have thus shown, Mr. Speaker, the foundation of all man's title to property. And now I repeat the question — *where is the grant* of a

right to man, to hold property in *his fellow man?* Sir, it does not exist — it never did exist — it never can exist. The whole claim is founded in usurpation. Yes sir; a double usurpation — of man's right in himself, which results from the very constitution of his nature, and of the high prerogative of the Author of that nature himself.

But, sir, the claim of property in man is not only without grant, and in defiance of Heaven's prerogative of ownership, but it strikes, directly, at man's *accountability* to the Creator. From the relation of ownership by one man, and absolute property in another, there naturally results a control, inconsistent with accountability to any other Being than the owner. Slavery thus seeks to sunder the moral relation of the slave to his Maker, and to invest frail man with the prerogative of Supreme Lawgiver and Judge.

And then, too, contemplate the slave in connexion with the various relative duties connected with man's social existence — those, for example, which result from the DOMESTIC CONSTITUTION, which forms the basis of the social edifice, and without which it would tumble into ruins, and the world become a bedlam and a hell. What are the domestic relations to the slave? How can the appropriate duties of any one of them be discharged by him? How, for example, can children obey their parents? How can parents discharge to their children the duties which nature prompts, and God enjoins? How can husbands protect, and enjoy, the dearest and holiest relation upon earth, or wives fulfil the sacred duties resulting from their marriage vows? Let the husbands and the fathers who hear me, answer these questions. . . .

But there are, after all, those among us, who maintain that slavery is *right!* Yes, sir, among *us* — not in Russia, or China, or Tartary; but among *us* — in these United States of America. Here, on this hallowed soil of freedom, is slavery, not merely *tolerated* as an evil, but cherished as a blessing — lauded, indeed, as favorable to the perpetuity of our free institutions.

And now, sir, let me show you how directly slavery is at war with these institutions; how it rides over, and prostrates THE GREAT PRINCIPLE which lies at the bottom of them all. . . .

. . . I come to Virginia — aye, to Virginia! And what do I find? Here is her constitution before me; and, to my astonishment, the first thing that meets my eye is the following:

"A declaration of rights made by the representatives of the good people of Virginia, assembled in full and free convention; which rights

do pertain to them and their posterity, as the basis and foundation of government. Unanimously adopted, June 12, 1776.

"1. That ALL MEN are, by nature, EQUALLY FREE AND INDEPENDENT, and ["] —

Mr. WISE here interposed, and called Mr. Slade to order.

The CHAIR decided, from the rule, that Mr. Slade could not read any paper, if it was objected to by any member, without the leave of the house.

Mr. WISE said the gentleman had wantonly discussed the abstract question of slavery, going back to the very first day of the creation, instead of slavery as it existed in the District, and the powers and duties of congress in relation to it. He was now examining the state constitutions, to show that, as it existed in the states, it was against them, and against the laws of God and man. This was out of order. . . .

[MR. SLADE.] Let me now, Mr. Speaker, go back a moment, and present a single example of the strong feeling on this subject, in Virginia, previous to the revolution.

Mr. RHETT, of South Carolina, asked if the proceedings in Virginia had any thing to do with the proceedings before the house. . . .

Mr. WISE rose and said, he has discussed the whole abstract question of slavery — of slavery in Virginia — of slavery in my own district. I now ask all my colleagues to retire with me from this hall. . . .

Mr. HOLSEY: I ask the Georgia delegation to do the same.

Mr. RHETT: The South Carolina delegation have already consulted together, and agreed to meet at 3 o'clock, in the room of the committee on the District of Columbia. . . .

Mr. MCKAY, of North Carolina, said that the gentleman had been pronounced out of order, in discussing slavery in the states; and the rule declared that when a member was so pronounced by the chair, he should take his seat, and if any one objected to his proceeding again, he should not do so, unless by leave of the house. Mr. McKay did now object to the gentleman from Vermont proceeding any farther.

The CHAIR read the rule referred to, and said that, as an objection had now, for the first time, been made under that rule, to the gentleman's resuming his speech, the chair decided that he could not do so without leave of the house.

[William] Slade, *Speech on the Abolition of Slavery and the Slave Trade in the District of Columbia*, December 20, 1837 (no title-page), 1–9 *passim*.

182. L'Amistad Case (1839–1840)

BY REVEREND JOSHUA LEAVITT

Leavitt was a reformer of note in several fields, especially in those of temperance and abolition. As editor of several papers in New York and Boston, including the *Emancipator*, and as a public speaker, he was forcible and outspoken in upholding the reforms which he advocated. He took an active part in the organization of the Liberal party in 1840. — Bibliography: Channing and Hart, *Guide*, § 189.

IN the month of July, 1839, the Spanish schooner Amistad, Ramen Ferrer, master, sailed from Havana for Porto Principe, a place in the island of Cuba, about 100 leagues distant, having on board as passengers, Don Pedro Montes, and Jose Ruiz, with 54 fresh African negroes, just brought from Lemboko as slaves. After being out four days, the negroes rose in the night, killed the captain and cook, and took possession of the vessel. The two sailors took the boat and went on shore, and Montes was required, on pain of death, to navigate the vessel to Africa. He steered eastwardly in the day time, but put about at night, and thus kept near the American coast, until the 26th of August, when they were taken by Lieut. Gedney, United States Navy, and carried into New-London. Judge Judson, of the United States Court, was sent for, and after a short examination of the two Spaniards, and a Creole cabin boy, without a word of communication with the negroes, the latter were bound over for trial as pirates, although their utter ignorance of any European language, and the admission of Ruiz himself showed that they were fresh Africans, and of course could not be slaves by the laws of Spain. At this time, it was the united voice of the public press and of public men, that as a matter of course, they would either be tried and executed here, or delivered up to the Spaniards.

The abolitionists saw that these men had only exercised the natural right of self-defence, justified by all laws, and that justice to these strangers and a regard for the honor of law itself, required a vigorous effort to turn the tide of public opinion and judicial prejudice. Messrs. S. S. Jocelyn, J. Leavitt and Lewis Tappan, were appointed a committee to take charge of the case, who immediately engaged as counsel, Seth P. Staples and Theodore Sedgwick, Esqrs., of New-York, and R. S. Baldwin, of New-Haven. Our hands were strengthened by a letter from Mr. Adams, which was published in the newspapers, asserting the right

of the negroes to act as they did, and declaring that the vessel and its contents were theirs by the law of nations. . . .

On the 5th of September, the United States Attorney for the District of Connecticut, W. S. Holabird, Esq., wrote to Mr. Forsyth, the Secretary of State, apprising him that "the Marshal of this District has in his custody the Spanish schooner Amistad, with her *cargo and* 41 *blacks*, supposed to be slaves." The blacks "are now in jail at New-Haven," and "the schooner and cargo have been libelled by Lieut. Gedney" for salvage. Here again is the distinction between the "cargo" and the "blacks." He says also, "the next term of our Circuit Court sits on the 17th instant, at which time I suppose it will be my duty to bring them to trial, unless they are in *some other way disposed of*." To this Mr. Forsyth replies, Sept. 11, that the Spanish Minister has claimed the "vessel, cargo, and blacks on board, as Spanish property," and directing Mr. Attorney to "take care that no proceeding of your Circuit Court, or of any other judicial tribunal, places the vessel, cargo, or slaves beyond the control of the Federal Executive." M. Calderon had not demanded the "blacks" as "property" at all, but as criminals; and his successor, M. Argaiz, Nov. 26, says his complaint is that "the public vengeance has not been satisfied, for be it recollected that the legation of Spain *does not demand the delivery of slaves, but of assassins*." In the face of this declaration of the legation, Mr. Forsyth instructs Mr. Holabird that the blacks are claimed as "property," and the whole proceeding of our Government is based upon this false assumption. . . .

Mr. Holabird writes again, Sept. 21, to Mr. Forsyth, that "with a view of carrying out your instructions," that is, to prevent "any other judicial tribunal" from placing the negroes "beyond the control of the Federal Executive," he had "filed a libel in the District Court, against the negroes, in behalf of the United States, averring" that they had been claimed by the Spanish Government *as property*, and also that they had been "imported in violation of the law of 1819," prohibiting the slave trade, and praying the court to "decree that the Marshal hold them subject to the order of the Federal Executive on the one claim or the other." The Circuit Court instructed the Grand Jury that they had no jurisdiction over the alleged crime. The Committee then caused a writ of *habeas corpus* to be issued from the Circuit Court, to know by what authority the negroes were detained by the Marshal, but Judge Thompson, after full argument, decided that, since these persons had been libelled as property, the question of their right to liberty could not be examined

on *habeas corpus* — thus subjecting the Common Law and habeas corpus to the paramount authority of the Civil Law in Admiralty process, on a claim of human beings as property — a virtual prostration of the great bulwark of personal liberty, the *habeas corpus*. . . .

. . . Dec. 30, M. Argaiz writes to Mr. Forsyth, referring to "a conversation which I had with you on the morning of the day before yesterday," in which "you mentioned the possibility that the Court of Connecticut might, at its meeting on the 7th of January next, declare itself incompetent, or order the restitution of the schooner Amistad, with her cargo, and the negroes found on board of her;" and saying that as "these negroes have declared before the Court of Connecticut that they are not slaves, and that the best means of testing the truth of their allegation is to bring them before the courts of Havana," and he is "at the same time desirous to free the Government of the United States from the trouble of keeping said negroes in prison;" he asks as a final and "most particular favor," that our Government would place the negroes "at the disposal of the Captain General of the Island of Cuba, by transporting them thither in a ship belonging to the United States."

On the 6th of Jan. 1840, Mr. Forsyth replies, that he is instructed by the President to state that "in the event of the decision of the Circuit Court of Connecticut being such as is anticipated," he will "cause the necessary orders to be given for a vessel of the United States to be held in readiness to receive the negroes and convey them to Cuba;" and that "the President has the more readily acceded" to the request, that the negroes "may have an opportunity of proving the truth of their allegation" that they are not slaves, "before the proper tribunals of the island." A most benevolent motive for sending persons out of the country!

. . . The requisition upon the Navy Department is dated Jan. 2, and requires the vessel "to be ordered to anchor *off the port* of New-Haven," not in the harbor, "as early as the 10th of January," and there await her final instructions. . . . The friends of the Africans were not insensible to the danger of some secret and sudden movement, and therefore took the best measures in their power, by sleepless vigilance, and by providing fleet horses at hand, to baffle any such design. That these fears were not groundless, will be seen by a letter . . . of Mr. Forsyth . . . instructing . . . "by direction of the President, that, if the decision of the court is such as is anticipated, the order of the President is to be carried into execution, unless an appeal shall actually have been interposed. You are not to take it for granted that it

will be interposed." This is a plain intimation that it was intended to hurry the negroes out of the jurisdiction of the court on the instant the expected decision of the court should be given. The following is the "Executive Order," which Mr. Van Buren should have always before his eyes, and posterity should cause it to be graven on his tomb, to rot only with his memory.

"The Marshal of the United States for the District of Connecticut, will deliver over to Lieut. John J. Paine, of the United States Navy, and aid in conveying on board the schooner Grampus, under his command, all the negroes, late of the Spanish schooner Amistad, in his custody, under process now pending before the Circuit Court of the United States for the District of Connecticut. For so doing this order will be his warrant.

"Given under my hand, at the city of Washington, this 7th day of January, A.D. 1840. "M. VAN BUREN.

"By the President:

"JOHN FORSYTH, Secretary of State."

The unexpected decision of Judge Judson in favor of the negroes, declaring them to be manifestly fresh from Africa, and so entitled to their liberty even under the laws of Spain, defeated all these plans, and drove the Government to the necessity of appealing to the Supreme Court of the United States for a final decision, and of supporting this large company in custody at a vast expense, not yet publicly ascertained, all which was cheerfully undertaken, rather than yield to the demands of justice and mercy to the strangers. The Committee took the best methods in their power to give these benighted heathen such instruction as they were capable of receiving; and the most thorough preparations were made for the final trial, which took place at Washington, at the term of the Supreme Court for January 1841. By the blessing of Heaven upon the efforts of the counsel, Mr. Baldwin, and the venerable John Quincy Adams, aided by the light thrown upon the public mind, the Supreme Court confirmed the decision of the lower tribunal, so far as to declare the negroes perfectly FREE. "Thy prey hath escaped thee!"

In the following autumn, so many as survived were sent, by public charity, to Sierra Leone, on the coast of Africa, and within a moderate distance of their own homes. Laus Deo.

William Jay, *A View of the Action of the Federal Government in behalf of Slavery* (Utica, 1844), Appendix [by Joshua Leavitt], 95–102 *passim*.

183. A Fugitive Case (1841)

BY SAMUEL D. COCHRAN

Oberlin, in Ohio, early became marked as the seat of much abolition excitement fostered by the college there. The writer of the letter given below, which was sent to the *Philanthropist*, the great abolition paper of the West, belonged to the anti-slavery agitators. — Bibliography as in No. 182 above.

Oberlin, Feb. 27, 1841.

. . . A SCENE of a most exciting character has just transpired in this place. Last Wednesday evening three kidnappers plunged into our midst, seized upon a colored man and his wife, and attempted to escape with their victims.

Between the hours of eight and nine in the evening, the three professed Kentuckians, accompanied by a constable from Pittsfield, five miles south of Oberlin, named Whitney, attacked the house of Mr. Leonard Page, who lives nearly a mile east of our Institution. Having placed a Kentuckian on each side of the house, the constable and the other knocked at the door for admission. Receiving no response, they opened it and entered on their own responsibility. They first found Mrs. Page and her family, among whom was a young lady. Upon those they made an assault, threatening their lives if they attempted to escape from the room, or to offer the least resistance. They next passed into the sitting-room, when they found Mr. Page, and asked him if a colored man called Jefferson, *alias* Elias, was there. Mr. Page replied that none was there of that name. Said the constable, there must be such a man here, and we will search the house for him. The Kentuckian said he had stolen two horses, and must be caught. Mr. Page demanded their authority — the constable then produced a writ which had been issued by Whitney, a Justice of the Peace in Pittsfield. Supposing the writ to be legal, Mr. Page offered no resistance, and remarking to the constable, 'I should think you would not engage in such business,' he opened the door to the room in which was a colored man, known here by the name of Johnson. The constable calling for help, entered the room, and the Kentuckian who was with him, asked the colored man if his name was Jefferson. The colored man remaining silent, he went forward, and turning up his lip examined his teeth and said, 'this is the man.' By this time the other two entered, and each with a bowie-knife in one hand and a pistol in the other. The constable next inquired for Jane. Mr. Page said he did not know where she was. Constable then searched the closet, and failing to

find her there, he searched the bedroom. Here he found her under the bed, and commanded her to come out, which she did immediately. Having brought them together, he called for the manacles, and was about putting them on, when the man sprung for the window to escape. The constable seized him by the collar, presented his pistol, and told him if he attempted to escape, he would blow him through. Mr. Page advised the colored man to submit patiently. . . . They then left the house with the two on foot, manacled together by the hands.

The alarm was soon communicated to the village. At a meeting of the citizens of Oberlin, which was at that time in progress, a committee of eight was appointed to follow them with special instructions in reference to these two points. 1st. To see that the so-called fugitives should not be carried off without due process of law. 2d. That no violence should be offered to the kidnappers. This committee with some thirty others pursued and overtook them about two miles from the village. The kidnappers being called on to stop, one said to another, we shall have to stop at the first house, which was about twenty rods in advance. They immediately pressed forward to the house and entered it. Had they not been overtaken, it was manifestly their design to travel all night, for one of them said to the negro when arrested, 'you don't stop to-night.' . . . Soon after their entering the house, Bro. A. D. Barber and others came up to the door, which was soon opened by the constable and his Kentucky posse. . . . Their authority was demanded, and they were assured that if they had proper legal authority, they should not be molested — that we would not violate the law, but were determined to see that the colored people had a fair trial. . . . The warrant was then read, which at the time, we supposed legal, but which proved in the result entirely the contrary. We then demanded that some of our number should go along and see that the colored people were not abused, and had a fair trial; upon which the constable commanded C. L. Carrier, one of our citizens, to assist him. All the others immediately returned to the village . . .

In the morning, finding a large number with E. S. Hamlin, Esq., of Elyria, who had been sent for during the night, collected at an early hour, and determined to secure a fair trial, they began to be in trouble, and sent to Elyria for counsel. After some delay, finding the case must be brought before a Judge in the county, and not a Justice of the Peace, as they had hoped, they concluded to go to Elyria, and chose ten Oberlin men as their body-guard. Arrived at Elyria, the kidnappers

took the negroes to the Franklin House, (which we mention that the friends of freedom may shun it, because it has open arms for oppression,) and for about four hours guarded them so strictly that when a Baptist clergyman went to talk with them about religion, one of the kidnappers, who was also a professed Baptist, drew his pistol and commanded him to desist. They did this too, after they had ascertained that they held them by authority of a warrant perfectly illegal, until they procured another warrant which they produced in court. Before starting for Elyria, our counsel discovered the illegality of this warrant, and hoping their lawyer, Mr. Benedict, would not discover it, had designed to quash the whole proceeding immediately after bringing it into court, when the colored people would of course be free. When the case came to trial, they did not attempt to produce a shred of evidence to substantiate their claims other than their affidavit, that they verily believed them to be slaves of J. M. McNease, in Kentucky, and that they could in due time produce testimony sufficient. The poor colored man and his wife were accordingly lodged in jail, guiltless of crime, to await the decision of the court in April.

But the affair was not thus ended. A warrant had been obtained to arrest the three kidnappers for an assault on the person of Mr. Page, and immediately after the Judge pronounced the decision, they were arrested in the full court-house, and led through the streets to the Justice's office, as an hour before they had led their unfortunate victims. The next day, the case having been adjourned, the trial came on before Heman Birch, Esq., at 9 o'clock, A.M. E. S. Hamlin was counsel for the State, and Mr. Benedict for the kidnappers. Mr. Birch gave an excellent decision, doing honor alike to his head and his heart, and the Kentuckians were bound over in the sum of 500 dollars each, to appear at the next court. Some individuals became their bail, and thus saved them from taking a residence within the same walls that contained their victims. . . .

[Mr. A. D. Barber adds:] 'I saw the alleged fugitives after they broke jail. As they are now safe, I will give a statement of what they said respecting breaking jail. They were put in with three white men. One of the whites said to them, in the evening they were put in, we will help you out. They were allowed to have basket stuff in jail for making baskets, and they also chopped their own wood. One would split basket stuff or chop wood, while the others worked at the window, so as to drown their noise. They said they had no help from individuals with-

out. The grates were broken before dark, so that when night came, they had nothing to do but crawl out. This was done between 10 and 11 o'clock, P.M. and without any noise.

. . . The colored man and his wife came here about two o'clock in the morning, got some things which they had left, and immediately started off.'

Philanthropist (Cincinnati), March 24 (?), 1841; reprinted in *Liberator* (Boston), May 21, 1841.

184. Defence of Free Speech (1842)

BY REPRESENTATIVE JOHN QUINCY ADAMS

Adams's fame rests most securely upon his courageous and almost unsupported defence, in the House of Representatives, of the right of free petition. — For Adams, see No. 128 above. — Bibliography as in No. 180 above.

MR. ADAMS then proceeded to remark that the gentleman from Albemarle, (Mr. GILMER) after most perseveringly and pertinaciously insisting on trying him (Mr. A.) twice over — after having spent several hours in that pleasant employment — had thought proper to say — after he (Mr. A.) had declared that he had presented the petition from what he considered the injunction of his God — that he (Mr. G.) was willing to withdraw his resolution, provided he (Mr. A.) would withdraw the petition. No, no; he could not do that. The gentleman knew it perfectly well, and he must have supposed that he (Mr. A.) spoke to the wind, and not to this House, when he made the declaration he had done. But that proposition came to the point and issue of this whole question — that was to say, to the total suppression of the right of petition to the whole people of this Union. That was what the gentleman now brought forward; and he was not content with the variety of forms under which petitions were excluded, some of which forms were too ridiculous to be adopted by any sensible House of Representatives, such, for instance, as a member raising the question of reception, and then moving to lay the man's own proposition on the table.

He did not know how many plans they had got for excluding petitions. But that was not enough. Until gentlemen could bring it to a point where it might bear on the members of this House, and intimidate them from the performance of their duty in presenting petitions, they

could not be satisfied nor gratified. No. But if the gentlemen could get a solemn vote of this House censuring members for presenting petitions, then, they thought, this question would be settled; they thought the freemen of the North would not send petitions on any subject they thought proper to oppose. When gentlemen had got their chains on the members of the North — when the language was held to them, Ay, present your petitions, but you do it under the penalty of violating the privileges of the House — then, they thought, the matter would be ended. But he promised them that it would *not* be ended; he promised them that they would have the people coming here (to use the expression of a sublime and lofty poet of England) "besieging, not beseeching."

If he had withdrawn the petition, he would consider himself as having sacrificed the right of petition; as having sacrificed the right of habeas corpus; as having sacrificed the right of trial by jury; as having sacrificed the sacred confidence of the post office; as having sacrificed the freedom of the press; as having sacrificed the freedom of speech; as having sacrificed every element of liberty that was enjoyed by his fellow-citizens; because, if he had proved craven to his trust under the intimidation of the charges of the gentleman from Albemarle and the gentleman from Kentucky, never more would the House have seen a petition presented from the people of the Union, expressing their grievances in a manner that might not be pleasing to the members of the "peculiar institution," until at length the people should teach them the lesson that, however their representatives might be intimidated from the discharge of their duty, they (the people) would be their own champions, and the defenders of their own rights. *There* was the deadly character of the attempt made to put him down — to charge him as a criminal for presenting a petition. Did the gentleman from Albemarle think that *that* was the way to appease dissatisfaction and discord? Let him look to the public presses of the North upon this very transaction — from New York, or even from Philadelphia, northward — and see the opinions which they had already expressed as to the manner in which he had been persecuted. And if that gentleman and the gentleman from Kentucky thought that this censure upon him, (Mr. A.) produced as they were attempting to produce it, would appease discord and silence discussion, they would find very different sentiments prevailing. . . .

. . . There was no justification for the Editors of the Intelligencer in refusing to continue their reports of his case, because he complained of the injustice done him. They declared that they would not report at

all except what came authentically from him. Was this justice to him or justice to the public who were so intensely anxious in the part of the country from which he came, to see not only what he said in his defence, but what was said against him?

It was his fortune yesterday to occupy the whole day, and he believed, he did, in the course of it, make disclosures important to the country, and that ought to be known. When the masked battery was opened upon him by the gentleman from Kentucky (Mr. MARSHALL) charging him with high treason and other high crimes, he had not half an hour allowed him. It came upon him like a clap of thunder. He had no time to make a proper defence. Upon what, then, could he rely but upon the justice and fidelity of the Reporters. Such a state of things existed in this city, when debates of this nature came up, as to furnish one of the strongest reasons why the Congress of the United States ought to sit in a place where there was no slavery. In the first place, there was a slavery prejudice against him for years past, as he had shown by the anonymous letters addressed to him that he read the other day, one of which said that his villanous course had been watched, and threatened him with assassination. There was a prejudice against him on the part of all slaveholders who conceived that his course in Congress affected their interests, and this prejudice was altogether unsuited to a grave, formal, judicial trial of a man arraigned for high and capital crimes. In the next place the public press under that same influence was doing him a positive and negative injustice. One press filling the public mind with prejudice against him even to utter misrepresentation and vituperation, equal to that of the triumvirate who had arraigned him, while the other had suppressed material parts of his defence. Here was, on the one hand, the interference of the press against a persecuted man before his judges and his jurors, and on the other hand, the National Intelligencer, under that same influence, though not to an equal extent, after having done him negative injustice, would not do justice to him by continuing the publication of his defence. That prejudice arose not only from the fact that this was a slaveholding District, and filled with all kind of prejudices where the question of slavery was concerned; but from the fact that, in some parts of the South, all papers having the taint of Abolition, or containing Abolition matter in them, were suppressed and prevented from circulating. The press in this city knew that if they sent to the city of Charleston any papers containing matter which the authorities of that place conceived affected the slave interest,

or even tainted in the slightest degree with Abolition, that they would be seized — pillaged by a committee of incendiaries, and destroyed. He held in his hand some documents which would show the extent of this interference in some parts of the country with the rights and liberties of the people, and their rights to the immunities of the post office. . . . Here was, he said, a violation of the rights of the people in the Post Office, and a violation of the freedom of the press. Here was, he said, a falsification of the life of one of the most illustrious patriots of the Revolution, (John Jay,) because it was conceived to contain matter offensive to the South. The freedom of the press was suppressed, and, not only that, but it was falsified. That, he said, was one of the strongest proofs of a great conspiracy on the part of the Southern portion of the Union to extend the law of slavery throughout the free States. But all this was not to be reported. The Intelligencer was to go to the South expurgated of every thing that he said; expurgated of this exposure of the conspiracy in the South to force slavery on the free States; expurgated of the conspiracy against him; and, in short, expurgated of his defence, because, forsooth, the Reporter for the Intelligencer did not think proper to report what he said, in consequence of his having complained of a suppression of some of the most material parts of his defence. . . .

Mr. ADAMS then continued the presentation of Abolition petitions of every description, such as petitions for the abolishment of slavery and the slave trade in the District of Columbia; for the recognition of the independence of Hayti; remonstrating against the admission of Texas into the Union; against the admission of Florida; for the repeal of the 21st rule; to remove the seat of Government to one of the free States in the alternative of refusing to abolish slavery in the District of Columbia; censuring the conduct of the American Consul at Nassau, New Providence, in relation to the mutineers of the Creole, and requesting his recall. Some of these petitions coming under the 21st rule, were not received, and others had the question of reception raised on them, and that question was, in each case, laid on the table. Mr. ADAMS, in conclusion, said that he had now get [got] through with all his petitions, with the exception of the two to dissolve the Union, and, as he had before observed, he would, in the present disposition of the House, preserve them for a future occasion.

Congressional Globe, 27 Cong., 2 sess. (Blair and Rives, Washington, 1842), 208-215 *passim*, February 5 and 12, 1842.

CHAPTER XXIX—ANNEXATION OF TEXAS

185. The Texan Revolution (1836)

BY GENERAL SAMUEL HOUSTON (1859)

Houston was of the frontier type of the soldier-statesman. He served with bravery in the Creek War, was congressman from Tennessee and governor of that state, and went to Texas to aid her in her struggle for independence. He was made commander-in-chief of the diminutive army, and at the battle of San Jacinto gained a decisive victory which secured the independence of Texas. Again, as president of Texas, then as her senator, and finally as her governor, he tried his hand at statecraft. He speaks of himself here in the third person. — For Houston, see W. C. Crane, *Life and Select Literary Remains of Sam Houston*. — Bibliography: H. H. Bancroft, *History of the Pacific States*, XI, 277–278.

IT is necessary, in the first place, to announce the fact that, on the 2d of March, 1836, the declaration of Texan independence was proclaimed. The condition of the country at that time I will not particularly explain; but a provisional government had existed previous to that time. In December, 1835, when the troubles first began in Texas, in the inception of its revolution, Houston was appointed major general of the forces by the consultation then in session at San Felipe. He remained in that position. A delegate from each municipality, or what would correspond to counties here, was to constitute the government, with a Governor, Lieutenant Governor, and Council. They had the power of the country. An army was requisite, and means were necessary to sustain the revolution. This was the first organization of anything like a government, which absorbed the power that had previously existed in committees of vigilance and safety in different sections of the country. When the general was appointed, his first act was to organize a force to repel an invading army which he was satisfied would advance upon Texas. A rendezvous had been established, at which the drilling and organization of the troops was to take place, and officers were sent to their respective posts for the purpose of recruiting men. Colonel Fannin was appointed at Matagorda, to superintend that district, second in command to the General-in-Chief; and he remained there until the gallant

band from Alabama and Georgia visited that country. They were volunteers under Colonels Ward, Shackleford, Duvall, and other illustrious names. When they arrived, Colonel Fannin, disregarding the orders of the Commander-in-Chief, became, by countenance of the council, a candidate for commander of the volunteers. Some four or five hundred of them had arrived, all equipped and disciplined; men of intelligence, men of character, men of chivalry and of honor. A more gallant band never graced the American soil in defense of liberty. He was selected; and the project of the council was to invade Matamoras, under the auspices of Fannin. San Antonio had been taken in 1835. Troops were to remain there. It was a post more than seventy miles from any colonies or settlements by the Americans. It was a Spanish town or city, with many thousand population, and very few Americans. The Alamo was nothing more than a church, and derived its cognomen from the fact of its being surrounded by poplars or cotton-wood trees. The Alamo was known as a fortress since the Mexican revolution in 1812. . . .

. . . the Commander-in-Chief . . . sent an order to Colonel Neill, who was in command of the Alamo, to blow up that place and fall back to Gonzales, making that a defensive position, which was supposed to be the furthest boundary the enemy would ever reach.

This was on the 17th of January. That order was secretly superseded by the council; and Colonel Travis, having relieved Colonel Neill, did not blow up the Alamo, and retreat with such articles as were necessary for the defense of the country; but remained in possession from the 17th of January until the last of February, when the Alamo was invested by the force of Santa Anna. Surrounded there, and cut off from all succor, the consequence was they were destroyed; they fell victims to the ruthless feelings of Santa Anna, by the contrivance of the council, and in violation of the plans of the major general for the defense of the country. . . .

The general proceeded on his way and met many fugitives. The day on which he left Washington, the 6th of March, the Alamo had fallen. He anticipated it; and marching to Gonzales as soon as practicable, though his health was infirm, he arrived there on the 11th of March. He found at Gonzales three hundred and seventy-four men, half fed, half clad, and half armed, and without organization. That was the nucleus on which he had to form an army and defend the country. No sooner did he arrive than he sent a dispatch to Colonel Fannin, fifty-eight miles, which would reach him in thirty hours, to fall back. He

was satisfied that the Alamo had fallen. Colonel Fannin was ordered to fall back from Goliad, twenty-five miles to Victoria, on the Guadalupe, thus placing him within striking distance of Gonzales, for he had only to march twenty-five miles to Victoria to be on the east side of the Colorado, with the only succor hoped for by the general. He received an answer from Colonel Fannin, stating *that he had received his order; had held a council of war; and that he had determined to defend the place, and called it Fort Defiance, and had taken the responsibility to disobey the order.* . . .

. . . Fannin, after disobeying orders, attempted, on the 19th, to retreat; and had only twenty-five miles to reach Victoria. His opinions of chivalry and honor were such that he would not avail himself of the night to do it in, although he had been admonished by the smoke of the enemies' encampment for eight days previous to attempting a retreat. He then attempted to retreat in open day. The Mexican cavalry surrounded him. He halted in a prairie, without water; commenced a fortification, and there was surrounded by the enemy, who, from the hill tops, shot down upon him. Though the most gallant spirits were there with him, he remained in that situation all that night and the next day, when a flag of truce was presented; he entered into a capitulation, and was taken to Goliad, on a promise to be returned to the United States with all associated with him. In less than eight days, the attempt was made to massacre him and every man with him. I believe some few did escape, most of whom came afterwards and joined the army.

The general fell back from the Colorado. . . . He marched and took position on the Brazos, with as much expedition as was consistent with his situation; but at San Felipe he found a spirit of dissatisfaction in the troops. The Government had removed east. It had left Washington and gone to Harrisburg, and the apprehension of the settlers had been awakened and increased, rather than decreased. The spirits of the men were bowed down. Hope seemed to have departed, and with the little band alone remained anything like a consciousness of strength.

. . . On the Brazos, the efficient force under his command amounted to five hundred and twenty. . . . The encampment on the Brazos was the point at which the first piece of artillery was ever received by the army. They were without munitions; old horse shoes, and all pieces of iron that could be procured, had to be cut up; various things were to be provided; there were no cartridges and but few balls. Two small six-pounders, presented by the magnanimity of the people of Cincinnati, and subsequently called the "twin sisters," were the first pieces of artil-

lery that were used in Texas. From thence, the march commenced at Donoho's, three miles from Groce's. It had required several days to cross the Brazos, with the horses and wagons. . . .

The march to Harrisburg was effected through the greatest possible difficulties. The prairies were quagmired. . . . Notwithstanding that, the remarkable success of the march brought the army in a little time to Harrisburg, opposite which it halted. . . . Orders were given by the general immediately to prepare rations for three days, and to be at an early hour in readiness to cross the bayou. The next morning we find that the Commander-in-Chief addressed a note in pencil to Colonel Henry Raguet, of Nacogdoches, in these words:

"CAMP AT HARRISBURG, *April* 19, 1836.

"SIR: This morning we are in preparation to meet Santa Anna. It is the only chance of saving Texas. From time to time, I have looked for reinforcements in vain. The convention adjourning to Harrisburg, struck *panic* throughout the country. Texas could have started at least four thousand men. We will only have about seven hundred to march with, besides the camp guard. We go to conquer. It is wisdom, growing out of necessity, to meet the enemy now; every consideration enforces it. No previous occasion would justify it. The troops are in fine spirits, and now is the time for action." * * * *

"We shall use our best efforts to fight the enemy to such advantage as will insure victory, though odds are greatly against us. I leave the result in the hands of a wise God, and rely upon His providence.

"My country will do justice to those who serve her. The rights for which we fight will be secured, and Texas free." . . .

A crossing was effected by the evening, and the line of march was taken up . . . for San Jacinto, for the purpose of cutting off Santa Anna below the junction of the San Jacinto and Buffalo bayou. . . .

In the morning the sun had risen brightly, and he determined with this omen, "to-day the battle shall take place." . . . After the council was dismissed, the general sent for Deaf Smith and his comrade, Reeves, who came mounted, when he gave them the axes so as not to attract the attention of the troops. They placed them in their saddles, as Mexicans carry swords and weapons, and started briskly for the scene of action. The general announced to them: "you will be speedy if you return in time for the scenes that are to be enacted here." They executed the order, and when the troops with the general were within sixty yards of the enemy's front, when charging, Deaf Smith returned and announced that the bridge was cut down. It had been preconcerted to announce that the enemy had received no reinforcement. It was announced to the army for the first time; for the idea that the bridge would be cut

down was never thought of by any one but the general himself, until he ordered it to be done, and then only known to Smith and his comrade. It would have made the army polemics if it had been known that Vince's bridge was to be destroyed, for it cut off all means of escape for either army. There was no alternative but victory or death. . . .

. . . The plan of battle is described in the official report of the Commander-in-Chief, to be found in Yoakum's history, one of the most authentic and valuable books in connection with the general affairs of Texas, that can be found; in which nothing is stated upon individual responsibility; everything in it is sustained by the official documents.

With the exception of the Commander-in-Chief, no gentleman in the army had ever been in a general action, or even witnessed one; no one had been drilled in a regular army, or had been accustomed to the evolutions necessary to the maneuvering of troops. So soon as the disposition of the troops was made, according to his judgment, he announced to the Secretary of War the plan of battle. It was concurred in instantly. The Commander-in-Chief requested the Secretary of War to take command of the left wing, so as to possess him of the timber, and enable him to turn the right wing of the enemy. The general's plan of battle was carried out. . . .

Now, Mr. President, notwithstanding the various slanders that have been circulated about the Commander-in-Chief, it is somewhat strange that the only point about which there has been no contestation for fame and for heroic wreaths, is in relation to the circumstances connected with the capture of General Santa Anna. When he was brought into the camp and the interview took place, the Commander-in-Chief was lying on the ground. . . . Looking up he saw Santa Anna, who announced to him in Spanish: "I am General Antonio Lopez de Santa Anna, President of the Republic of Mexico, and a prisoner at your disposition." Calmly and quietly it was received. The hand was waived to a box that stood by, and there Santa Anna was seated. After some time, with apparent emotion, but with great composure to what I had expected, under the circumstances, he proposed a negotiation for his liberation. He was informed that the general had not the power; that there was an organized civil Government, and it must be referred to them. Santa Anna insisted upon negotiation; and expressed his great aversion to all civil government. The general assured him that he could not do it. . . .

Congressional Globe, 35 Cong., 2 sess. (John C. Rives, Washington, 1859), 1433–1438 *passim*, February 28, 1859.

186. An Anti-Slavery Protest (1837)

BY REVEREND WILLIAM ELLERY CHANNING

Channing was the most famous of the early Unitarian divines. His interest in social questions led to his association in the anti-slavery movement. He was not an extreme abolitionist, but favored political action. — Bibliography: Channing and Hart, *Guide*, § 193.

. . . I PROCEED now to a consideration of what is to me the strongest argument against annexing Texas to the United States. This measure will extend and perpetuate slavery. . . .

. . . It is fitted and still more intended to do so. On this point there can be no doubt. As far back as the year 1829, the annexation of Texas was agitated in the Southern and Western States; and it was urged on the ground of the strength and extension it would give to the slaveholding interest. In a series of essays ascribed to a gentleman, now a senator in Congress, it was maintained, that five or six slaveholding states would by this measure be added to the Union; and he even intimated that as many as nine states as large as Kentucky might be formed within the limits of Texas. In Virginia, about the same time, calculations were made as to the increased value which would thus be given to slaves, and it was even said, that this acquisition would raise the price fifty per cent. Of late the language on this subject is most explicit. The great argument for annexing Texas is, that it will strengthen "the peculiar institutions" of the South, and open a new and vast field for slavery.

By this act, slavery will be spread over regions to which it is now impossible to set limits. Texas, I repeat it, is but the first step of aggressions. I trust, indeed, that Providence will beat back and humble our cupidity and ambition. But one guilty success is often suffered to be crowned, as men call it, with greater; in order that a more awful retribution may at length vindicate the justice of God, and the rights of the oppressed. Texas, smitten with slavery, will spread the infection beyond herself. We know that the tropical regions have been found most propitious to this pestilence; nor can we promise ourselves, that its expulsion from them for a season forbids its return. By annexing Texas, we may send this scourge to a distance, which, if now revealed, would appal us, and through these vast regions every cry of the injured will invoke wrath on our heads.

By this act, slavery will be perpetuated in the old states as well as

spread over new. It is well known, that the soil of some of the old states has become exhausted by slave cultivation. Their neighborhood to communities, which are flourishing under free labor, forces on them perpetual arguments for adopting this better system. They now adhere to slavery, not on account of the wealth which it extracts from the soil, but because it furnishes men and women to be sold in newly settled and more southern districts. It is by slave breeding and slave selling that these states subsist. Take away from them a foreign market, and slavery would die. Of consequence, by opening a new market, it is prolonged and invigorated. By annexing Texas, we shall not only create it where it does not exist, but breathe new life into it, where its end seemed to be near. States, which might and ought to throw it off, will make the multiplication of slaves their great aim and chief resource.

Nor is the worst told. As I have before intimated, and it cannot be too often repeated, we shall not only quicken the domestic slave trade; we shall give a new impulse to the foreign. This indeed we have pronounced in our laws to be felony; but we make our laws cobwebs, when we offer to rapacious men strong motives for their violation. Open a market for slaves in an unsettled country, with a sweep of sea-coast, and at such a distance from the seat of government that laws may be evaded with impunity, and how can you exclude slaves from Africa? It is well known that cargoes have been landed in Louisiana. What is to drive them from Texas? In incorporating this region with the Union to make it a slave country, we send the kidnapper to prowl through the jungles, and to dart, like a beast of prey, on the defenceless villages of Africa. We chain the helpless despairing victims; crowd them into the fetid, pestilential slave ship; expose them to the unutterable cruelties of the middle passage, and, if they survive it, crush them with perpetual bondage.

I now ask, whether as a people, we are prepared to seize on a neighboring territory for the end of extending slavery? I ask, whether, as a people, we can stand forth in the sight of God, in the sight of the nations, and adopt this atrocious policy? Sooner perish! Sooner be our name blotted out from the record of nations! . . .

Whoever studies modern history with any care, must discern in it a steady growing movement towards one most interesting result, I mean, towards the elevation of the laboring class of society. . . .

It is the great mission of this country, to forward this revolution, and never was a sublimer work committed to a nation. Our mission is to

elevate society through all its conditions, to secure to every human being the means of progress, to substitute the government of equal laws for that of irresponsible individuals, to prove that, under popular institutions, the people may be carried forward, that the multitude who toil are capable of enjoying the noblest blessings of the social state. The prejudice, that labor is a degradation, one of the worst prejudices handed down from barbarous ages, is to receive here, a practical refutation. The power of liberty to raise up the whole people, this is the great Idea, on which our institutions rest, and which is to be wrought out in our history. Shall a nation having such a mission abjure it, and even fight against the progress which it is specially called to promote?

The annexation of Texas, if it should be accomplished, would do much to determine the future history and character of this country. It is one of those measures, which call a nation to pause, reflect, look forward, because their force is not soon exhausted. . . . The chief interest of a people lies in measures, which, making, perhaps, little noise, go far to fix its character, to determine its policy and fate for ages, to decide its rank among nations. A fearful responsibility rests on those who originate or control these pregnant acts. The destiny of millions is in their hands. The execration of millions may fall on their heads. Long after present excitements shall have passed away, long after they and their generation shall have vanished from the earth, the fruits of their agency will be reaped. Such a measure is that of which I now write. It will commit us to a degrading policy, the issues of which lie beyond human foresight. In opening to ourselves vast regions, through which we may spread slavery, and in spreading it for this, among other ends, that the slaveholding states may bear rule in the national councils, we make slavery the predominant interest of the state. We make it the basis of power, the spring or guide of public measures, the object for which the revenues, strength, and wealth of the country, are to be exhausted. Slavery will be branded on our front, as the great Idea, the prominent feature of the country. We shall renounce our high calling as a people, and accomplish the lowest destiny to which a nation can be bound.

And are we prepared for this degradation? Are we prepared to couple with the name of our country the infamy of deliberately spreading slavery? and especially of spreading it through regions from which the wise and humane legislation of a neighboring republic had excluded it? We call Mexico a semi-barbarous people; and yet we talk of planting slavery where Mexico would not suffer it to live. What American will not blush

to lift his head in Europe, if this disgrace shall be fastened on his country? Let other calamities, if God so will, come on us. Let us be steeped in poverty. Let pestilence stalk through our land. Let famine thin our population. Let the world join hands against our free institutions, and deluge our shores with blood. All this can be endured. A few years of industry and peace will recruit our wasted numbers, and spread fruitfulness over our desolated fields. But a nation devoting itself to the work of spreading and perpetuating slavery, stamps itself with a guilt and shame, which generations may not be able to efface. The plea on which we have rested, that slavery was not our choice, but a sad necessity bequeathed us by our fathers, will avail us no longer. The whole guilt will be assumed by ourselves.

It is very lamentable, that among the distinguished men of the South, any should be found so wanting to their own fame, as to become advocates of slavery. . . . that men, who might leave honorable and enduring record of themselves in their country's history . . . should lend their great powers to the extension of slavery, is among the dark symptoms of the times. . . . Have they nothing of that prophetic instinct, by which truly great men read the future? Can they learn nothing from the sentence now passed on men, who, fifty years ago, defended the slave trade? . . .

I have expressed my fears, that by the annexation of Texas, slavery is to be continued and extended. But I wish not to be understood, as having the slightest doubt as to the approaching fall of the institution. It may be prolonged to our reproach and greater ultimate suffering. But fall it will and must. . . . Moral laws are as irresistible as physical. In the most enlightened countries of Europe, a man would forfeit his place in society, by vindicating slavery. The slaveholder must not imagine, that he has nothing to do but fight with a few societies. These, of themselves, are nothing. He should not waste on them one fear. They are strong, only as representing the spirit of the Christian and civilized world. His battle is with the laws of human nature and the irresistible tendencies of human affairs. These are not to be withstood by artful strokes of policy, or by daring crimes. The world is against him, and the world's Maker. Every day the sympathies of the world are forsaking him. Can he hope to sustain slavery against the moral feeling, the solemn sentence of the human race?

William E. Channing, *A Letter to the Hon. Henry Clay, on the Annexation of Texas to the United States* (Boston, 1837), 34–46 *passim.*

187. The Raleigh Letter (1844)

BY SENATOR HENRY CLAY

Clay was at this time a candidate for the presidency, hence a recital of his views on the Texas question was of great importance. Unfortunately for him, he later thought it necessary to explain away some of the statements in this straightforward exposition. This letter was addressed to the *National Intelligencer*. — For Clay, see No. 125 above. — Bibliography as in No. 186 above.

RALEIGH, April 17, 1844.

. . . THE rejection of the overture of Texas, some years ago, to become annexed to the United States, had met with general acquiescence. Nothing had since occurred materially to vary the question. I had seen no evidence of a desire being entertained, on the part of any considerable portion of the American people, that Texas should become an integral part of the United States. . . . To the astonishment of the whole nation, we are now informed that a treaty of annexation has been actually concluded, and is to be submitted to the Senate for its consideration. . . .

. . . If, without the loss of national character, without the hazard of foreign war, with the general concurrence of the nation, without any danger to the integrity of the Union, and without giving an unreasonable price for Texas, the question of annexation were presented, it would appear in quite a different light from that in which, I apprehend, it is now to be regarded. . . .

. . . Annexation and war with Mexico are identical. Now, for one, I certainly am not willing to involve this country in a foreign war for the object of acquiring Texas. I know there are those who regard such a war with indifference and as a trifling affair, on account of the weakness of Mexico, and her inability to inflict serious injury upon this country. But I do not look upon it thus lightly. I regard all wars as great calamities, to be avoided, if possible, and honorable peace as the wisest and truest policy of this country. What the United States most need are union, peace, and patience. . . .

Assuming that the annexation of Texas is war with Mexico, is it competent to the treaty-making power to plunge this country into war, not only without the concurrence of, but without deigning to consult Congress, to which, by the Constitution, belongs exclusively the power of declaring war?

I have hitherto considered the question upon the supposition that the

annexation is attempted without the assent of Mexico. If she yields her consent, that would materially affect the foreign aspect of the question, if it did not remove all foreign difficulties. On the assumption of that assent, the question would be confined to the domestic considerations which belong to it, embracing the terms and conditions upon which annexation is proposed. I do not think that Texas ought to be received into the Union, as an integral part of it, in decided opposition to the wishes of a considerable and respectable portion of the Confederacy. I think it far more wise and important to compose and harmonize the present Confederacy, as it now exists, than to introduce a new element of discord and distraction into it. In my humble opinion, it should be the constant and earnest endeavor of American statesmen to eradicate prejudices, to cultivate and foster concord, and to produce general contentment among all parts of our Confederacy. And true wisdom, it seems to me, points to the duty of rendering its present members happy, prosperous, and satisfied with each other, rather than to attempt to introduce alien members, against the common consent and with the certainty of deep dissatisfaction. Mr. Jefferson expressed the opinion, and others believed, that it never was in the contemplation of the framers of the Constitution to add foreign territory to the Confederacy, out of which new States were to be formed. The acquisitions of Louisiana and Florida may be defended upon the peculiar ground of the relation in which they stood to the States of the Union. After they were admitted, we might well pause awhile, people our vast wastes, develop our resources, prepare the means of defending what we possess, and augment our strength, power, and greatness. If hereafter further territory should be wanted for an increased population, we need entertain no apprehensions but that it will be acquired by means, it is to be hoped, fair, honorable, and constitutional.

It is useless to disguise that there are those who espouse and those who oppose the annexation of Texas upon the ground of the influence which it would exert, in the balance of political power, between two great sections of the Union. I conceive that no motive for the acquisition of foreign territory would be more unfortunate, or pregnant with more fatal consequences, than that of obtaining it for the purpose of strengthening one part against another part of the common Confederacy. Such a principle, put into practical operation, would menace the existence, if it did not certainly sow the seeds of a dissolution of the Union. It would be to proclaim to the world an insatiable and unquenchable

thirst for foreign conquest or acquisition of territory. For if to-day Texas be acquired to strengthen one part of the Confederacy, to-morrow Canada may be required to add strength to another. And, after that might have been obtained, still other and further acquisitions would become necessary to equalize and adjust the balance of political power. Finally, in the progress of this spirit of universal dominion, the part of the Confederacy which is now weakest, would find itself still weaker from the impossibility of securing new theatres for those peculiar institutions which it is charged with being desirous to extend.

But would Texas, ultimately, really add strength to that which is now considered the weakest part of the Confederacy? If my information be correct, it would not. According to that, the territory of Texas is susceptible of a division into five States of convenient size and form. Of these, two only would be adapted to those peculiar institutions to which I have referred, and the other three, lying west and north of San Antonio, being only adapted to farming and grazing purposes, from the nature of their soil, climate, and productions, would not admit of those institutions. In the end, therefore, there would be two slave and three free States probably added to the Union. If this view of the soil and geography of Texas be correct, it might serve to diminish the zeal both of those who oppose and those who are urging annexation. . . .

If any European nation entertains any ambitious designs upon Texas, such as that of colonizing her, or in any way subjugating her, I should regard it as the imperative duty of the Government of the United States to oppose to such designs the most firm and determined resistance, to the extent, if necessary, of appealing to arms to prevent the accomplishment of any such designs. The Executive of the United States ought to be informed as to the aims and views of foreign Powers with regard to Texas, and I presume that, if there be any of the exceptionable character which I have indicated, the Executive will disclose to the co-ordinate departments of the Government, if not to the public, the evidence of them. From what I have seen and heard, I believe that Great Britain has recently formally and solemnly disavowed any such aims or purposes — has declared that she is desirous only of the independence of Texas, and that she has no intention to interfere in her domestic institutions. If she has made such disavowal and declaration, I presume they are in the possession of the Executive. . . .

. . . In conclusion . . . I consider the annexation of Texas, at this time, without the assent of Mexico, as a measure compromising the

national character, involving us certainly in war with Mexico, probably with other foreign Powers, dangerous to the integrity of the Union, inexpedient in the present financial condition of the country, and not called for by any general expression of public opinion.

Daily National Intelligencer (Washington), April 27, 1844.

188. Reasons for Annexation (1844)

BY SECRETARY JOHN CALDWELL CALHOUN

As an ardent pro-slavery man, Calhoun was an active promoter of the annexation of Texas. This letter was addressed to Richard Pakenham, English minister to the United States. — For Calhoun, see No. 161 above. — Bibliography as in No. 186 above.

DEPARTMENT OF STATE, WASHINGTON, *April 18th*, 1844.

THE undersigned, Secretary of State of the United States, has laid before the President the note of the Right Honorable Mr. Pakenham, envoy extraordinary and minister plenipotentiary of Her Britannic Majesty, addressed to this department on the 26th of February last, together with the accompanying copy of a despatch of Her Majesty's Principal Secretary of State for Foreign Affairs to Mr. Pakenham. In reply, the undersigned is directed by the President to inform the Right Honorable Mr. Pakenham, that, while he regards with pleasure the disavowal of Lord Aberdeen of any intention on the part of Her Majesty's Government "to resort to any measures, either openly or secretly, which can tend to disturb the internal tranquillity of the slaveholding States, and thereby affect the tranquillity of this Union," he at the same time regards with deep concern the avowal, for the first time made to this Government, "that Great Britain desires and is constantly exerting herself to procure the general abolition of slavery throughout the world."

So long as Great Britain confined her policy to the abolition of slavery in her own possessions and colonies, no other country had a right to complain. It belonged to her exclusively to determine, according to her own views of policy, whether it should be done or not. But when she goes beyond, and avows it as her settled policy, and the object of her constant exertions, to abolish it throughout the world, she makes it the duty of all other countries, whose safety or prosperity may be endangered by her policy, to adopt such measures as they may deem necessary for their protection.

It is with still deeper concern the President regards the avowal of Lord Aberdeen of the desire of Great Britain to see slavery abolished in Texas, and, as he infers, is endeavoring, through her diplomacy, to accomplish it, by making the abolition of slavery one of the conditions on which Mexico should acknowledge her independence. It has confirmed his previous impressions as to the policy of Great Britain in reference to Texas, and made it his duty to examine with much care and solicitude what would be its effects on the prosperity and safety of the United States, should she succeed in her endeavors. The investigation has resulted in the settled conviction that it would be difficult for Texas, in her actual condition, to resist what she desires, without supposing the influence and exertions of Great Britain would be extended beyond the limits assigned by Lord Aberdeen; and this, if Texas could not resist the consummation of the object of her desire, would endanger both the safety and prosperity of the Union. Under this conviction, it is felt to be the imperious duty of the Federal Government, the common representative and protector of the States of the Union, to adopt, in self-defence, the most effectual measures to defeat it.

This is not the proper occasion to state at large the grounds of this conviction. It is sufficient to say, that the consummation of the avowed object of her wishes in reference to Texas would be followed by hostile feelings and relations between that country and the United States, which could not fail to place her under the influence and control of Great Britain. This, from the geographical position of Texas, would expose the weakest and most vulnerable portion of our frontier to inroads, and place in the power of Great Britain the most efficient means of effecting in the neighboring States of this Union what she avows to be her desire to do in all countries where slavery exists. To hazard consequences which would be so dangerous to the prosperity and safety of this Union, without resorting to the most effective measures to prevent them, would be, on the part of the Federal Government, an abandonment of the most solemn obligation imposed by the guarantee which the States, in adopting the Constitution, entered into to protect each other against whatever might endanger their safety, whether from without or within. Acting in obedience to this obligation, on which our federal system of Government rests, the President directs me to inform you that a treaty has been concluded between the United States and Texas, for the annexation of the latter to the former as a part of its territory, which will be submitted without delay to the Senate, for its approval.

This step has been taken as the most effectual, if not the only means of guarding against the threatened danger, and securing their permanent peace and welfare.

It is well known that Texas has long desired to be annexed to this Union; that her people, at the time of the adoption of her Constitution, expressed, by an almost unanimous vote, her desire to that effect: and that she has never ceased to desire it, as the most certain means of promoting her safety and prosperity. The United States have heretofore declined to meet her wishes; but the time has now arrived when they can no longer refuse, consistently with their own security and peace, and the sacred obligation imposed by their constitutional compact for mutual defence and protection. . . .

They are equally without responsibility for that state of things, already adverted to as the immediate cause of imposing on them, in self-defence, the obligation of adopting the measure they have. They remained passive so long as the policy on the part of Great Britain, which has led to its adoption, had no immediate bearing on their peace and safety. While they conceded to Great Britain the right of adopting whatever policy she might deem best, in reference to the African race, within her own possessions, they on their part claim the same right for themselves. The policy she has adopted in reference to the portion of that race in her dominions may be humane and wise; but it does not follow, if it prove so with her, that it would be so in reference to the United States and other countries, whose situation differs from hers. But, whether it would be or not, it belongs to each to judge and determine for itself. With us it is a question to be decided, not by the Federal Government, but by each member of this Union, for itself, according to its own views of its domestic policy, and without any right on the part of the Federal Government to interfere in any manner whatever. Its rights and duties are limited to protecting, under the guarantees of the Constitution, each member of this Union, in whatever policy it may adopt in reference to the portion within its respective limits. A large number of the States has decided, that it is neither wise nor humane to change the relation which has existed, from their first settlement, between the two races; while others, where the African is less numerous, have adopted the opposite policy.

It belongs not to the Government to question whether the former have decided wisely or not; and if it did, the undersigned would not regard this as the proper occasion to discuss the subject. He does not,

however, deem it irrelevant to state that, if the experience of more than half a century is to decide, it would be neither humane nor wise in them to change their policy. . . .

. . . Experience has proved that the existing relation, in which the one [race] is subjected to the other, in the slaveholding States, is consistent with the peace and safety of both, with great improvement to the inferior; while the same experience proves that the relation which it is the desire and object of Great Britain to substitute in its stead in this and all other countries, under the plausible name of the abolition of slavery, would (if it did not destroy the inferior by conflicts, to which it would lead) reduce it to the extremes of vice and wretchedness. In this view of the subject it may be asserted, that what is called slavery is in reality a political institution, essential to the peace, safety, and prosperity of those States of the Union in which it exists. Without, then, controverting the wisdom and humanity of the policy of Great Britain, so far as her own possessions are concerned, it may be safely affirmed, without reference to the means by which it would be affected, that, could she succeed in accomplishing, in the United States, what she avows to be her desire and the object of her constant exertions to effect throughout the world, so far from being wise or humane, she would involve in the greatest calamity the whole country, and especially the race which it is the avowed object of her exertions to benefit.

John C. Calhoun, *Works* ([edited by Richard K. Crallé], New York, 1855), V, 333–339 *passim*.

189. How Annexation was Secured (1845)

BY SENATOR THOMAS HART BENTON (1847)

Benton was senator from Missouri for thirty years, and, next to Clay, the most prominent of the western statesmen during that period. He was a Democrat and a Jackson man, conservative in financial matters, vigorous in securing liberal land laws, and interested in the development of the great West. He became a stern opponent of Calhoun and his extreme states' rights doctrines; and, believing that the Missouri Compromise should be kept inviolate, he denounced the Kansas-Nebraska Bill. — For Benton, see Theodore Roosevelt, *T. H. Benton*. — Bibliography as in No. 186 above.

I COME now to the direct proofs of the Senator's authorship of the war; and begin with the year 1836, and with the month of May of that year, and with the 27th day of that month, and with the first rumors of the victory of San Jacinto. The Congress of the United States was

then in session: the Senator from South Carolina was then a member of this body; and, without even waiting for the official confirmation of that great event, he proposed at once the immediate recognition of the independence of Texas, and her immediate admission into this Union. . . .

. . . he was for plunging us into instant war with Mexico. I say, instant war; for Mexico and Texas were then in open war; and to incorporate Texas, was to incorporate the war at the same time. All this the Senator was then for, immediately after his own gratuitous cession of Texas, and long before the invention of the London abolition plot came so opportunely to his aid. . . .

The Congress of 1836 would not admit Texas. The Senator from South Carolina became patient: the Texas question went to sleep; and for seven good years it made no disturbance. It then woke up, and with a suddenness and violence proportioned to its long repose. Mr. Tyler was then President: the Senator from South Carolina was potent under his administration, and soon became his Secretary of State. . . . I come at once to the letter of the 17th of January, from the Texian Minister to Mr. Upshur, the American Secretary of State; and the answer to that letter by Mr. CALHOUN, of April 11th of the same year. They are both vital in this case; and the first is in these words:

"SIR: It is known to you that an armistice has been proclaimed between Mexico and Texas; that that armistice has been obtained through the intervention of several great Powers mutually friendly; and that negotiations are now pending, having for their object a settlement of the difficulties heretofore existing between the two countries. A proposition likewise having been submitted by the President of the United States, through you, for the annexation of Texas to this country, therefore (without indicating the nature of the reply which the President of Texas may direct to be made to this proposition) I beg leave to suggest that it may be apprehended, should a treaty of annexation be concluded, Mexico may think proper to at once terminate the armistice, break off all negotiations for peace, and again threaten or commence hostilities against Texas; and that some of the other Governments who have been instrumental in obtaining their cession, if they do not throw their influence into the Mexican scale, may altogether withdraw their good offices of mediation, thus losing to Texas their friendship, and exposing her to the unrestrained menaces of Mexico. In view, then, of these things, I desire to submit, through you, to his excellency the President of the United States this inquiry: Should the President of Texas accede to the proposition of annexation, would the President of the United States, after the signing of the treaty, and before it shall be ratified and receive the final action of the other branches of both Governments, in case Texas should desire it, or with her consent, order such number of the military and naval forces of the United States to such necessary points or places upon the territory or borders of Texas or the Gulf of Mexico as shall be sufficient to protect her against foreign aggression? . . ." . . .

. . . at last, and after long delay, the Secretary wrote, and signed the pledge which Murphy had given, and in all the amplitude of his original

promise. That letter was dated on the 11th day of April, 1844, and was in these words:

"GENTLEMEN: The letter addressed by Mr. Van Zandt to the late Secretary of State, Mr. Upshur, to which you have called my attention, dated Washington, 17th January, 1844, has been laid before the President of the United States.

"In reply to it, I am directed by the President to say that the Secretary of the Navy has been instructed to order a strong naval force to concentrate in the Gulf of Mexico, to meet any emergency; and that similar orders have been issued by the Secretary of War, to move the disposable military forces on our southwestern frontier, for the same purpose. Should the exigency arise to which you refer in your note to Mr. Upshur, I am further directed by the President to say, that during the pendency of the treaty of annexation, he would deem it his duty to use all the means placed within his power by the Constitution to protect Texas from all foreign invasion. I have the honor to be, &c." . . .

The pledge of the 11th of April being *signed*, the treaty was *signed*, and being communicated to the Senate it was *rejected:* and the great reason for the rejection was that the ratification of the treaty would have been WAR with Mexico! an act which the President and Senate together, no more than President Tyler and his Secretary of State together, had the power to make. . . .

I now come to the last act in this tragedy of errors — the alternative resolutions adopted by Congress in the last days of the session of 1844–'45, and in the last moments of Mr. Tyler's Administration. A resolve, single and absolute, for the admission of Texas as a State of this Union, had been made by the House of Representatives; it came to this body; and an alternative resolution was added, subject to the choice of the President, authorizing negotiations for the admission, and appropriating $100,000 to defray the expenses of these negotiations. . . . It was considered by everybody, that the choice between these resolutions belonged to the new President, who had been elected with a special view to the admission of Texas, and who was already in the city, awaiting the morning of the 4th of March to enter upon the execution of his duties, and upon whose Administration all the evils of a mistake in the choice of these resolutions were to fall. We all expected the question to be left open to the new President; and so strong was that expectation, and so strong the feeling against the decency or propriety of interference on the part of the expiring Administration, to snatch this choice out of the hands of Mr. Polk, that, on a mere suggestion of the possibility of such a proceeding, in a debate on this floor, a Senator standing in the relation personally, and politically, and locally to feel for the honor of the then Secretary of State, declared they would not have the audacity to do it. . . . They did

have the audacity! They did do it, or rather, HE did it, for it is incontestable that Mr. Tyler was nothing, in anything that related to the Texas question, from the time of the arrival of his Secretary of State. . . . On Sunday, the second day of March, — that day which preceded the last day of his authority — and on that day, sacred to peace — the council sat that acted on the resolutions; — and in the darkness of a night howling with the storm, and battling with the elements, as if Heaven warred upon the audacious act, (for well do I remember it,) the fatal messenger was sent off which carried the selected resolution to Texas. The exit of the Secretary from office, and the start of the messenger from Washington, were coetaneous — twin acts — which come together, and will be remembered together. The act was then done: Texas was admitted: all the consequences of admission were incurred . . .

Congressional Globe, 29 Cong., 2 sess. (Blair and Rives, Washington, 1847), 494–497 *passim*, February 25 and 27, 1847.

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